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THE MEDIA MAGAZINE  
JUNE 1978  
**MORE**

**Noam Chomsky:  
Ten Years After Tet**

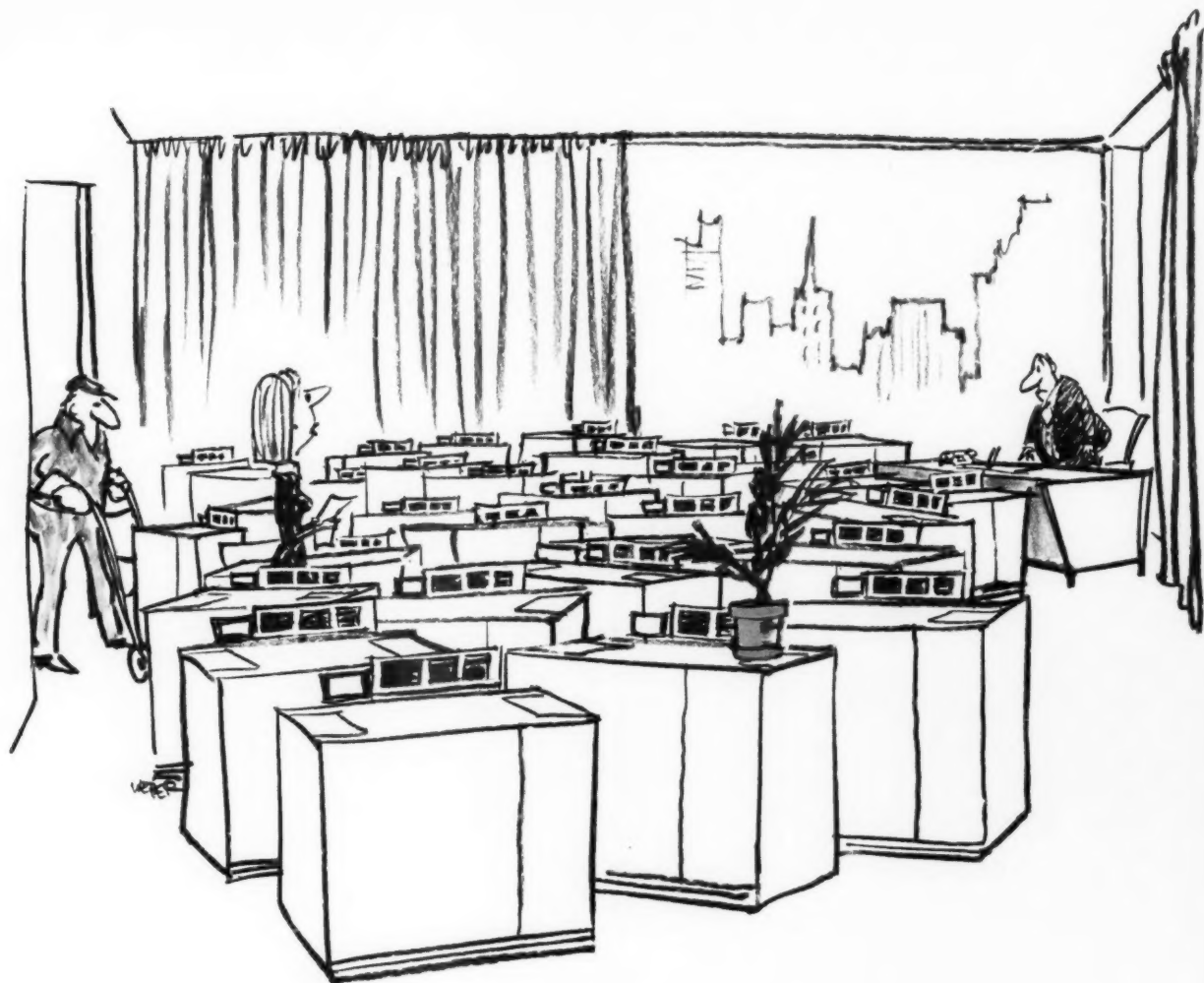
**J. Anthony Lukas:  
Bullets For Breslin**

**Walter LaFeber:  
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# **DIRTY WORDS INSIDE**

**BY NICHOLAS VON HOFFMAN**

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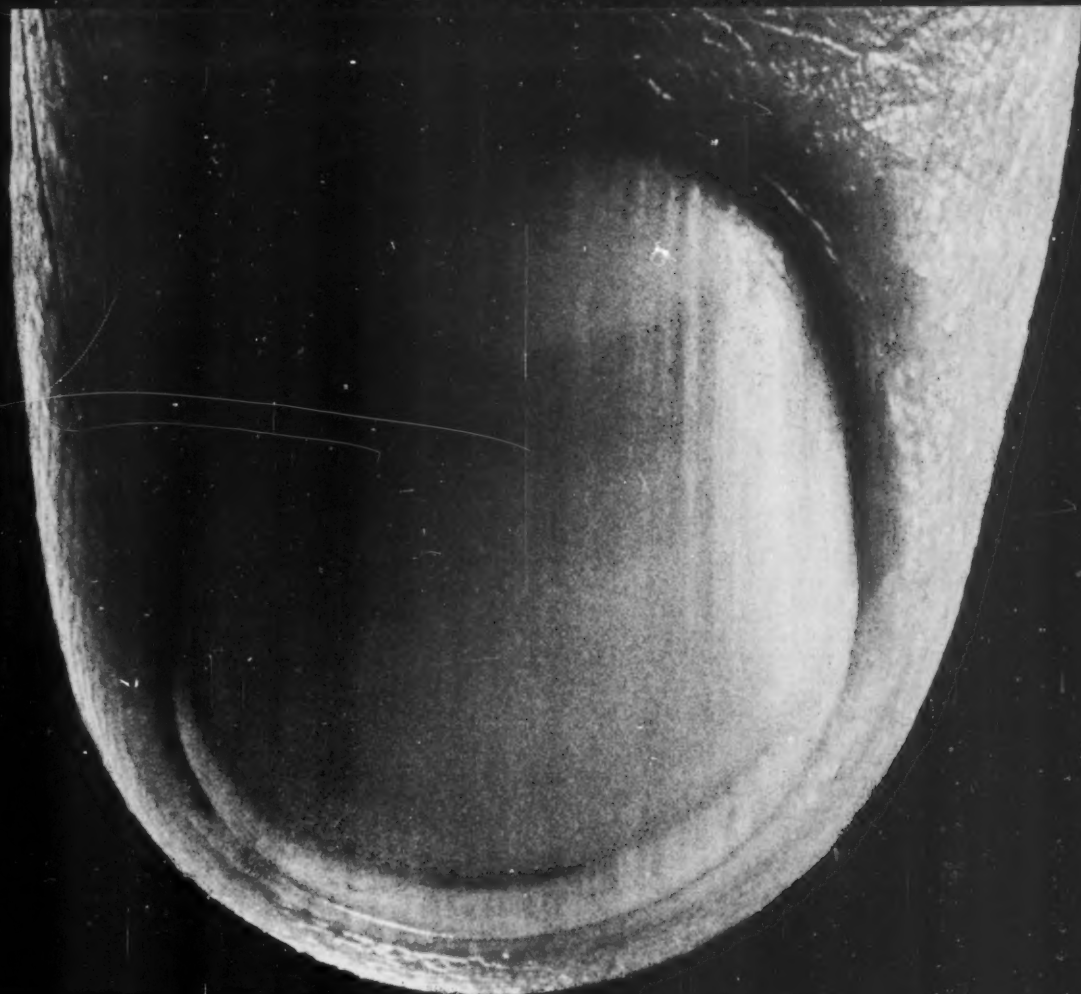
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## Liberals, logical allies of business • The snobbery factor • A plea for independent thinking

We cannot, for the life of us, understand why so many liberals in this country are so hostile to private business, when in our opinion they should be working with business to achieve what should be their basic objectives.

Liberals have been among the prime movers in the enactment of much of this country's social legislation—Aid to Dependent Children, Social Security, housing for the poor and the elderly, school lunches, and other programs. All of these programs have to be financed by revenues derived mainly from taxes on individual and corporate income.

The greater these incomes—which is to say, the more prosperous American business is—the greater the tax revenues. When incomes drop, as in a recession, so do tax revenues. Social programs then have to be reduced accordingly or supported by deficit financing, which over any extended period means inflation. For the poor and for people living on fixed incomes, inflation is the cruelest tyranny of all.

It therefore would seem to us that in all logic liberals should be as pro-business as they are pro-social progress. And we believe many more of them would be if it were not so fashionable intellectually to be part of the "trendy left." Too many of them respond unthinkingly to social and academic pressures rather than engaging in clear, independent analysis.

Part of the problem appears to be snobbery, pure and simple. To many of what might be called the professional liberals, business—indeed, our whole industrial society—is impossibly vulgar. To some it is esthetically offensive. And because business can prosper only by serving the masses of people, some consider it unbearably plebeian.

Yet one of the continuing threads in the mainstream of liberal thought has long been a dedication to the democratic process and to the right of the masses of people to make their voice heard—and heard effectively. If people stop buying a company's goods or services on any large

scale—or just make a credible threat to stop—that company's management tends to listen, and listen attentively. But if you think government is anywhere near as responsive, just recall your last encounter with your City Hall, or your maddening correspondence with a government agency.

Government can become so pervasive that it becomes virtually impossible for the citizenry to turn it around and change its course; indeed, ours may already have become so. But it's doubtful that business could ever get so big or so unresponsive, because it is subject to reaction in the marketplace and to public opinion generally, and to legislation that can curb an entire industry overnight.

What should be a tip-off to any thinking liberal is that an anti-business posture, complete with the clichés that too often substitute for thinking, is mandatory in many liberal circles and is not to be subjected to rigorous intellectual examination. It is a knee-jerk reaction, arising largely from conditions that ceased to exist many years ago and to some that never existed at all.

Lionel Trilling wrote: "It has for some time seemed to me that a criticism which has at heart the interest of liberalism might find its most useful work not in confirming liberalism in its sense of self-righteousness but rather in putting under some degree of pressure the liberal ideas and assumptions of the times." (*The Liberal Imagination: Essays on Literature and Society*, Charles Scribner's Sons, 1976.)

We find puzzling the extent to which liberals often seem impelled to weaken the economic structure on which not just social progress, but indeed our national livelihood depends. To them we suggest the following, oversimplified but nevertheless pointing up the heart of the matter:

Without adequate profits, no businesses.

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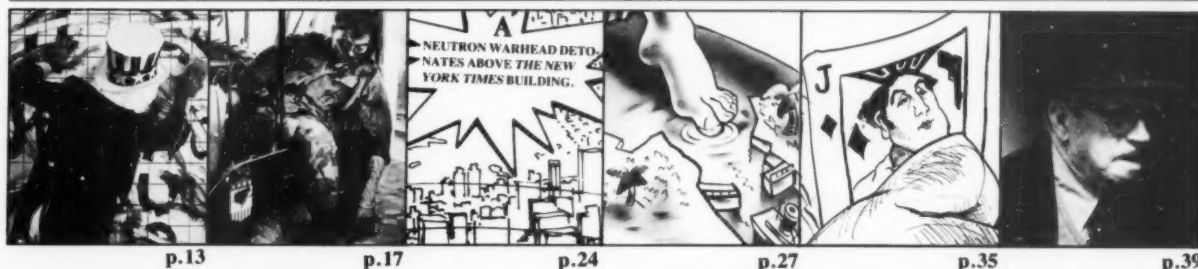
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The Supreme Court is now deciding who can broadcast what language over the airwaves. But, warns the author, a First Amendment victory may be its own undoing.

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Rarely has the press "veered so widely from reality," concluded Peter Braestrup in his widely hailed study of Tet coverage. Not so, says Chomsky. But that's just the start.

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The New York Times editorialized in support of the neutron bomb. Ever wonder what would happen if one went off in the vicinity of Times Square?

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Our newspaper of record does a fine job covering human tragedies and triumphs. But did you know that it is equally attentive to the foibles of all God's creatures?

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By April Koral

The Trib, New York's newest daily, sank quickly after 62 issues. A reporter who was aboard from the beginning tells what happened on this journalistic Ship of Fools.

Cover: Photograph by Michael Abramson

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# LETTERS

## CYPRUS COVER-UP?

"Assassination in Nicosia," by Christopher Hitchens [April 1978], is an example of the superficial coverage exhibited by newsmen who reported the assassination of editor Youssef el-Sebai and the subsequent "cover-up," which ended with the death of 17 Egyptian commandos.

Hitchens interviews one of the central figures in the killing and shoot-out at Larnaca, Vassos Lyssarides, whom he identifies as the former private physician of Archbishop Makarios, head of the Cypriot Socialist Party, and host for the Afro-Asian Peoples Solidarity Conference, which Sebai was to have addressed.

The *Washington Post* was the only major newspaper to carry even a hint of Lyssarides's real role in the affair. Newsmen who know little about the Byzantine politics of Cyprus never bothered to challenge this third world stalwart, who has often been identified by intelligence sources in his country and elsewhere in the Middle East as an old-time Stalinist and possible KGB man with close ties to the PLO, Syria, and Libya. The latter two countries reportedly finance his newspaper *Ta Nea*.

No one got the clips out to read how Lyssarides's men allegedly killed 200 of his foes during the 1974 coup, while Lyssarides himself took refuge in the Syrian embassy. Over the years, his name has been tied to frequent assassinations—in one case in 1975, an Agriculture Minister who refused to hire Lyssarides's henchmen was blown up. In another incident, the Israeli ambassador's residence was bombed by two members of Edek, Lyssarides's party (which says that Israel is "Cyprus's greatest enemy").

The only journalist to discuss Lyssarides's background

and the possible motives behind the killing of Sebai was Sidney Zion, in an article in *New York* magazine. He documents how Lyssarides orchestrated the assassination and the subsequent bid to keep the killers out of Egyptian hands.

I hope that journalists will pursue the ideological terrorists with the same vigor they show in trying to snare officials who have committed campaign abuses. As can be seen in the chart of assassinated newsmen you published, terrorism practiced by governments, political parties, or gangs is a major threat to journalists around the world.

Louis Rapoport  
San Francisco, Ca.

*Christopher Hitchens replies:* A great deal of evidence points to another directing source for the murder of Sebai. That source is a man named Abu Nidal, who leads an extreme rejectionist group based in Baghdad. The PLO has openly accused him of killing their London representative, Said Hammami, earlier this year, and they believe that he was responsible for the death of Sebai.

Of course, the PLO could have killed its own man in London, and Lyssarides could have wrecked his own painfully built-up conference of third world radicals. He could even have masterminded the many assassination attempts made upon his own person by the extreme right-wing underground in Cyprus. If Rapoport or Zion believe anything like this, they have to do better than simple assertion.

## PUBLISH AND PERISH

Regarding your story "Publish and Perish" by Andrew Kopkind [April 1978], this gentleman proves true to

form: ask a port-leaner the time of day and you'll get a political tirade.

His term "monopolizing terror" is new to me. He mentions South Korea, Rhodesia, and Indonesia specifically, then skips over the real culprits with an innocuous phrase. What about the eight nations under the U.S.S.R.? What about North Korea? What about Cuba? What about Cambodia?

I'm not sure whether he is genuinely concerned about newsmen, or whether he's using that as a platform for his ideological views.

E.F. Whitney  
Vista, Ca.

Andrew Kopkind's wrap-up of U.S. freedom of the press, "... a charade for such a journalist to shout 'freedom of the press!' as he was being carted off for throwing a brick..." makes this publisher puke.

Five years after local police raided our Wisconsin newspaper office in 1970, a Federal jury ruled police conduct illegal—five years after the paper folded due to the heat.

Catalogue the injustices to press people around the world. But don't dismiss complaints here just because you never got busted for selling a 25¢ opposition newspaper on the corner in the good old U.S.A.

Angus Mackenzie  
Redwood City, Ca.

## DAM CONTROVERSY

Mike Jacobs's article ["Dam The Critics," April 1978] would lead one to believe that the North Dakota media carries next to nothing from opponents of this state's multi-purpose water resource management project. We maintain files of newspaper stories which give considerable lineage to the project's chief critic, Richard Madson, regional representative of the National Audubon Society. Many articles covering Carter administration objections and Canadian concern over this project have also been given

lengthy exposure in every daily newspaper in the state.

In reference to the International Joint Commission recommendations, Mr. Jacobs reports that that body called for a "drastically reduced project..." In actuality, the International Joint Commission Garrison Diversion Report says, "... those portions of the Garrison Diversion Unit which could affect waters flowing into Canada not be built at this time." The important words, of course, are "could" and "not be built at this time." I can find no reference in the report calling for a reduced project.

M. Darrell Williams  
Public Involvement  
Administrator  
Garrison Diversion  
Conservancy District  
Carrington, N.D.

*Mike Jacobs replies:* Williams's allegations of inaccuracy demonstrate the eager optimism which has brought the Conservancy District to ignore the very grave criticisms mounted against the project for many years. To suggest that the International Joint Commission supports the construction of the Garrison Diversion Project at some future date is folly. The recommendations issued last year make clear that the project can't go forward as envisioned any time in the foreseeable future, unless the Canadian government abandons its hard-line opposition to those features which would affect Canadian waters.

I compliment you on your fine investigation into the Garrison Diversion project and media bias in North Dakota. The citizens of North Dakota need input from national news sources to learn the truth about what's happening to their state. Their ignorance, maintained by unethical news organizations, is intolerable in our society.

Stephen Kern  
Chairman, John Muir Chapter  
Sierra Club  
Milwaukee, Wis.



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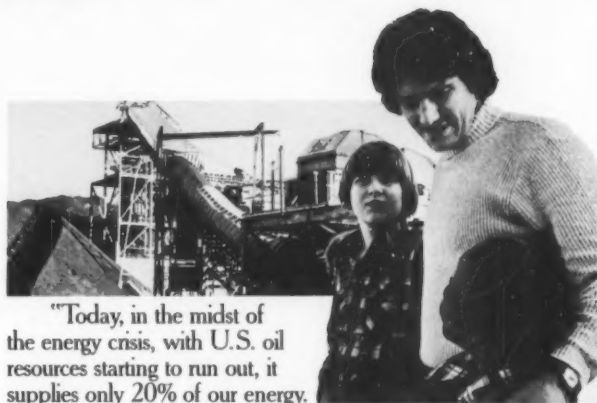


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—David G. Roberts, Scientist

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"By tapping our vast reserves of coal, we can lessen our dependence on imported oil—a move that's in the best interest of all of us.

## **Electric companies are converting to coal.**

"So, wherever feasible, electric companies are converting plants that run on oil and natural gas to coal. In this way, these precious fuels will last as long as possible—not only for transportation and heating, but for fertilizers, pharmaceuticals, and other useful applications.



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**Coal can't do the job alone—we still need nuclear energy as a major source of electricity.**

"Nuclear energy is the other proven source of electricity. For many sections of the country, it's the best and most economical source of power.

"But remember that in some sections of the country our electric power capacity is stretching thin."

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# HELLBOX

EDITED BY STEVE ROBINSON

## CHICAGO PAPER FACES REDLINING CHARGE

### 'Sun-Times' Accused Of Bias For Denying Housing Ads To Blacks

The Chicago *Sun-Times* prides itself on its progressive editorial stance toward racial integration. So it is not unusual for a *Sun-Times* reporter to charge that one of Chicago's most powerful institutions is systematically discriminating against inner-city blacks and Hispanics.

But when a *Sun-Times* reporter, Jerry C. Davis, recently made such charges on WMAQ-TV, he surprised quite a few listeners. The target of his attack was his own newspaper.

According to Davis, a financial writer for the *Sun-Times* and formerly a real estate editor, the paper's new housing section, "Home Life," is sold and distributed in a way "that excludes most of [the *Sun-Times*'s] black and Latino readers from information about new housing." It is, Davis charges, a very subtle, artful form of discrimination resulting from "a delineation of the circulation area" that "deliberately" excises most of the city's non-white communities, but includes readers in the suburbs and certain predominantly white neighborhoods.

Davis had planned on sending a memo to *Sun-Times* editor James Hoge protesting this policy, but he says he feared it would only end up in his personnel file. He decided to go public with the story by contacting Andy Shaw, a former

*Sun-Times* reporter now with WMAQ.

"Home Life," which has been appearing twice a week since March 12, includes ads for suburban tract housing and related real estate copy. It is sold and distributed on a "zoned" basis. Most newspapers, including the rival *Chicago Tribune*, zone their circulation and advertising by devising separate editions and advertising inserts for different sectors of the city.

The *Sun-Times*, however, makes "Home Life" available only on a highly selective basis. Readers in the suburbs and Chicago's fashionable North Side receive it. Residents of the downtown Loop, South and West Side areas—all either non-white or "changing"—do not. Instead, they are provided with a much shorter section headed "Homes/apartments," which excludes advertising for suburban homes.



The Chicago *Sun-Times*'s circulation map is drawn to reflect the city's racial boundaries. Residents in non-white neighborhoods (shaded area) do not receive the paper's new real estate section which contains ads for suburban homes.

The Illinois Housing and Development Authority has accused the *Sun-Times* of "redlining" by its zoning patterns. It estimates that this practice denies information on suburban housing to 90 percent of the city's blacks and 80 percent of its Hispanics.

"Home Life" is an attempt by Field Enterprises, which owns the *Sun-Times*, to recoup real estate advertising it lost with the death of the *Daily News*, which consistently carried more real estate ad lineage. Its large, inner-city readership has made the *Sun-Times* an unattractive medium for suburban developers seeking to keep non-whites from buying homes in white neighborhoods. The *Tribune*, which carries more real estate advertising than the *Sun-Times*, has a largely white, suburban readership which produces few housing inquiries from minorities.

Charles Fegert, the *Sun-Times*'s advertising marketing director, insists that the zoning is "smart marketing," not "redlining."

"Ninety percent of real estate ad revenues come from suburban tract developers," he says. "And 90 percent of them are interested in advertising only to the suburban ring that surrounds the city. In making our map we had to create a circulation area that would be attractive to them."

But Fegert would not comment on why the map has as its southwestern border a zig-zag line down Cicero Avenue, following almost precisely Chicago's racial frontier. The map classifies the white neighborhood of Garfield Park as "suburban," while it leaves the nearby, non-white Archer Heights within the deprived "metropolitan area."

Title VIII of the 1968 Civil Rights Act makes it illegal for any part of the housing industry (including real estate listing services) to discriminate on the basis of race. According to John Wolfson, a Justice Department spokesman, "The problem is that not ev-

everyone in town has equal access to listings. If a black person doesn't know that a vacancy exists, then it's denying him equal access." Wolfson states that an advertiser who specified that an ad run only in white areas might well be breaking the law, and that a newspaper which cooperated in this effort might also be breaking the law.

The Department of Housing and Urban Development is currently investigating the *Sun-Times's* distribution policies. HUD spokesman Louciene Watson says if the paper is found in violation of Title VIII, it will be given the opportunity to settle out of

court. But if an agreement is not reached, the matter will be referred to the Justice Department for prosecution.

The Illinois Housing and Development Authority has already ruled that developers using state or state-guaranteed mortgage funds must advertise in both *Sun-Times* real estate sections, and not just "Home Life."

The response by *Sun-Times* editors to Davis's in-house muckraking has been ominous silence. Davis is still on his beat, but he says that Hoge stopped by his desk in the city room and said, "I thought you were happy here."

—MICHAEL VERMEULEN

## VIDEO PIRACY

### Syracuse Students Air Illegal TV Broadcast

The Nielsen ratings will never record how many viewers in Syracuse, New York, watched Channel 7 the weekend of April 15. And the Federal Communications Commission will probably never discover the identity of the man in the gas mask who hosted the broadcast. But those who happened to tune in to "Lucky Seven" that weekend were treated to what may have been the first pirate broadcast in U.S. television history.

At 1 a.m. on April 15, Channel 7, an unassigned frequency in Syracuse, was appropriated by the "Renegade Broadcasting Company." A mysterious man in a gas mask announced the start of a weekend festival of programming, including the movies *Rocky*, *One Flew Over the Cuckoo's Nest*, *Deep Throat*, and a simulcast of *Saturday Night Live*. The 25-hour broadcast was in violation of FCC statutes which make it a crime—punishable by up to a year in prison and a \$10,000 fine—to use the airwaves without a license.

The FCC, which did not find out about the caper until Monday morning, says that Lucky Seven is the first confirmed case of an illegal television station in its files. John Theimer, the engineer in charge of the FCC's Buffalo office, would only say, "We think one of the people involved has been associated with Syracuse University at one time or another." Syracuse University Chancellor Melvin Eggers denies his school was involved at all.

But the man behind the gas mask—a student in the Syracuse School of Arts and Sciences, who was tracked down by a series of phone calls with students—told MORE that "the actual broadcast was done by two people: a student and an engineer with an FCC license. We wanted to give television a kick in the ass." The TV pirates used videotape equipment from the university's communications department to set up Channel 7. The broadcasts originated, the masked announcer says, from a student housing complex in the middle of the campus. The videotape machine was "borrowed" from Syracuse University's Union TV, a campus laboratory; singing students from Syracuse's Crouse Music School were recruited to tape the Lucky Seven jingle; and graphic arts students de-

## WRONG WAY, JANEWAY

**"The odds are overwhelming you'll die busted. Buy all the whole life insurance you can. For as little as you can."**

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**"Phoenix Mutual is made to order for my investment philosophy."**

Phoenix Mutual  
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One thing syndicated financial columnist Eliot Janeway would like to say about journalistic ethics is that they don't apply if you don't call yourself a journalist. When his words and image began appearing in print ads for Phoenix Mutual Life Insurance last November, and later in television commercials for Mazda automobiles, some editors began to wonder if that might not be a conflict of interest. "Our columns are not our livelihood, and we are not the press,"

says Janeway, referring to his research and publications firm. "I've never gone to a press conference in my life. I've never had a press card."

Buffalo Courier-Express Executive Editor Douglas L. Turner was not impressed with that reasoning, though, and dropped Janeway's column on April 27. "Taking money from a mutual life insurance company," says Turner, "you are now dealing with the heart and soul of the investment business. Where he hit was at ethical ground zero."

Not so, says Janeway. "I think every writer has the right to be paid for his statements. I have never made a statement to suit a sponsor."

Janeway's column is carried by 45 papers, including the Chicago Tribune and The Washington Star. Only one other paper, in addition to the Courier-Express has canceled Janeway's column, but his syndicate, Chicago Tribune-New York News, refuses to name the paper. Janeway has had conflict of interest problems before. The Detroit Free Press currently pays for his column, but does not use it because he did an ad for the Glendale Savings Bank in Michigan.

—David Oved

signed the Lucky Seven logo (a die showing seven dots).

The operation was "simple," according to one Lucky Seven technician. Pre-recorded material was played through a standard reel-to-reel videotape player, which was wired to a homemade linear amplifier. The tape player was equipped with a modulator which was tuned to the vacant Channel 7 frequency. The amplifier boosted the signal to about one-and-a-half watts before it was fed through an ordinary roof antenna. This signal was strong enough to reach downtown and northern sections of the city with sur-

prising clarity.

To capture and prosecute the masked announcer and his cohorts, the FCC would need a search warrant to seize the illegal broadcasting equipment. But that is not likely to happen. According to the masked announcer, Lucky Seven was a "one-shot deal," and the station was dismantled at the end of the festival. "We were banking on the FCC's office in Buffalo being closed," he says.

"There's not much we can do unless they come on again," admits the FCC's Theimer.

—JOHN KELLER



## HELLBOX

LATINS  
HUSTLEDD.C. Spanish Station  
Axed By Format Switch

His critics accuse him of pulling a fast one. His attorney says that, "If you met him, you might hate him."

Whatever other people may say about him, Richard Eaton, the owner of 13 radio and television stations, says his often controversial activities are motivated by a desire "to help minority groups."

Eaton's latest maneuver has been to outwit the Federal Communications Commission in its own backyard. Ordered by the FCC to give up the station he owned on Washington, D.C.'s AM radio band, he switched that station's black-oriented format to an FM station he also owned, then complied with the FCC and gave up the AM station. The switch had two effects: the ratings of the FM station, which previously had a Spanish-language format, soared; and Washington's growing Latin community was left without a significant radio voice.

The FCC's order grew out of a license challenge filed by a biracial group in 1966. At the time, Eaton's WOOK was a small AM station aimed at the black community. The challengers, Washington Community Broadcasting, claimed that WOOK was doing a poor job of serving the black community.

Nobody paid much attention, and the case was traveling the usual, slow path through the FCC, until the challenging group weighed in with its most serious charge. The group claimed that many of the black preachers who regularly thundered over the WOOK pulpit were actually delivering coded tips on what numbers their parishioners

should play—primarily by citing specific chapter and verse numbers from the Bible.

Eventually, although Eaton proclaimed his innocence and said he knew nothing about such goings-on, the FCC ruled that Eaton's license should be revoked and awarded to Community Broadcasting. When the courts upheld the FCC, WOOK's days seemed numbered.

But Eaton also owned WFAN-FM, a Latin-oriented station with minuscule ratings, and in December 1976, he switched the two. WOOK became WFAN, while WFAN became "OK-100," a soul powerhouse that has been attracting more and more black listeners, who make up a major part of the Washington market.

There was nothing illegal about Eaton's strategy. FCC rules require only that he file a notice to change the type of programming, and he did so in this case. So, on April 22, it was WFAN, the Latin station, that went off the air while OK-100 remained in business. Community Broadcasting is expected to take over the AM frequency, and intends to broadcast a black-oriented format.

Eaton has had his troubles elsewhere. He has had a license revoked on station WFAB in Miami for "failure to exercise reasonable diligence over his employees," who allegedly got involved in an elaborate scheme to bilk advertisers. The FCC is trying to take away his license for WJMO-AM and WLYT-FM in Cleveland, Ohio, because, it charges, the station ran rigged contests and charged political candidates running for the same office different rates.

Members of Washington's Latin community, which is now without a Spanish-language station, are angry at Eaton's maneuvering. Silverio Coy, head of a group called Washington Metropolitan Coalition Pro-Radio Latina, says that the Spanish-speaking

## CHECK IT OUT

**'POST' HIT LIST:** The *New York Post* says hard times are forcing it to reduce the size of its staff by asking 148 Guild members (out of some 450) to leave. But that's not the way most *Post* reporters see it. "It's an enemies list," says reporter **Joe Mancini**, who has no intention of accepting publisher **Rupert Murdoch's** offer of severance pay and health benefits. **Eric Fettman**, another reporter who won't be taking Murdoch's offer to leave, calls it "harassment." One notable name on Murdoch's "hit list" is movie reviewer **Judith Crist**, who was offered a personal contract by Murdoch but opted to join the Guild instead. Crist says her choice of Guild membership "may have had something to do" with her being asked to leave. She, too, is not going to leave. On the other side of the fence is **Barry Cunningham**, who is so disgusted with the paper that he'd like to be asked to leave—but Murdoch won't oblige him. "There is a pandering to the lowest common denominator of reader," says Cunningham. "I can't even open the paper."



## RISING TO THE CHALLENGE:

With child porn getting so much attention these days, the lascivious couplings of two pieces of dough isn't likely to get people exercised. Unless, that is, the pieces of dough have names and represent the high standards of the Pillsbury Company. When *Screw* publisher Al Goldstein ran an ad parody in his December and February issues showing Poppin' Fresh and his friend Poppie Fresh having sex in a skillet, and appropriating the company's slogan, "Nothing says lovin' like something from the oven... and Pillsbury says it best," the folks at Pillsbury were

not amused. They slapped Goldstein with a \$1.5 million suit for trademark and copyright infringement. The suit claims that Poppin' Fresh is "a corporate spokesman," who is always "presented as to project an image of wholesomeness and decency." Goldstein views the suit as a violation of his First Amendment rights, and says that by taking his magazine to court, Pillsbury has made itself "a national laughing-stock." One serious complication for Goldstein, though, is that Pillsbury, a Minneapolis company, has filed its suit in Atlanta, where judges are quite stern on matters of trademark violation. Goldstein believes that Pillsbury chose Georgia—where Larry Flynt was recently shot—to intimidate him.

**TAPS:** Chalk up one more fallen Army tradition. Bowing to pressure from Senator **Richard Schweiker** (R-Pa.), *Army Reserve* magazine has announced that it will no longer portray women in sexist ways—that is, no more pin-ups. *Army Reserve*, a bimonthly government publication with a circulation of 480,000 among reservists, military educators, and ROTC members, surrendered after a year of bureaucratic maneuvering touched off by an angry letter from a Schweiker constituent, **Carol Swaim**. Swaim, vice president of Pennsylvania's National Organization for Women and the mother of a reservist, complained to Schweiker that the magazine "emphasized



female anatomy, especially breasts." Schweiker agreed, and so did the U.S. Commission on Civil Rights, which declared that the magazine depicted women "as sexual creatures... and not as professional members of the Army Reserve." Henceforth, *Army Reserve* announced recently, it would depict "men and women in the same way, professionally and in a manner beyond reproach."

**SORE LOSER:** Syndicated columnist Rev. Lester Kinsolving is not graceful in defeat. Immediately after the Standing Committee of Correspondents decided unanimously on April 13 not to strip columnist **James J. Kilpatrick** of his Senate press credentials, Kinsolving declared that the decision had been a "whitewash." Kinsolving, who was stripped of his credentials in February 1977 for lobbying on behalf of South Africa (he has since been reinstated), filed a complaint against Kilpatrick—for allegedly doing "promotion work" for the U.S. Chamber of Commerce, and for accepting a speaking fee from the Society of Real Estate Appraisers before writing a column and an article supporting that group in a controversy with the Justice Department. United Features's **Sarah McClendon**—who refused to be associated with the ultra-conservative Kinsolving—filed a separate complaint against Kilpatrick. The Committee of Correspondents ruled that Kilpatrick was not guilty of any conflict of interest. Kilpatrick calls the charges "frivolous and groundless," and, in a letter to committee chairwoman **Joan McKinney**, called Kinsolving "an unmitigated liar."

**BLACK EYE IN CALCUTTA:** After the Willow Island, West Virginia, scaffolding disaster that killed 51 workmen April 27, the mayor of a nearby town warned photographers to steer clear of any funerals in the tiny community of Calcutta. "They better have good digestive systems if they go," said **Robert Doty**, mayor of Belmont. "The boys in Calcutta will make them eat their cameras." Unfortunately for AP freelancer **Bill Wade**, Doty's blunt advice came a day late. Wade was attacked twice by angry residents while trying to photograph a funeral in Calcutta, the day before Doty's warning. One man punched Wade in the mouth, while another rifled his film case as he sat in his car near the Calcutta cemetery. "They never really stopped to listen," says Wade. "They kept screaming at me." More rough stuff occurred when Wade tried to take pictures closer to the burial site. "I was in their backyard," he says. "I wasn't wanted. I don't blame them for what they did."

**ALMOST ALL-NEWS:** Crime reporting on all-news radio WCAU in Philadelphia may be somewhat incomplete from now on. On April 12, **Mike Schapiro**, assistant news director of the CBS-owned station, issued a memo banning the use of names of arrested suspects, "unless the case is deemed unusual or extremely serious; or involves public officials or other well-known people." Says Schapiro, "We have an obligation on fairness to suspects," and adds that while arrests are almost always reported, the disposition of most cases is not. General Manager **Bob Sherman** says the memo constitutes "voluntary restraint." But most editors and reporters at WCAU aren't happy with the policy. Editor **Karen Fox** calls the order "unwise, arbitrary, and suppression of news," but admits that there has been a resulting effort to follow cases more closely to their conclusion.

*Contributors: Brenda Becker, Jeff Dorsch, E. Michelle Kilbourne, Peter King, Imbi Leetma, Evan Pattak*

community, which numbers about 15,000, "depends on a Spanish radio station for everything." Coy says he is planning to challenge Eaton's OK-100 license when it comes up for renewal later this year.

The only Latin programming now left in the capital is a block of time Eaton has bought on WEAM-AM, from 11 p.m. to 6 a.m. "It's a real joke that doesn't reach anybody," says Coy.

Eaton, who is white, defends himself against charges of duplicity by saying that he founded WOOK 17 years ago "to help minority groups."

"I lost money for many years," he says, "and now I've arranged for WEAM to carry the Latin programming that used to be on WFAN, and I pay \$600 a week out of my pocket for that."

His attorney, Thomas Schattenfield, says that Eaton, who is in his late 70s and wheelchair-bound after a stroke, is genuinely interested in helping the Latin community. "Look," he says, "if this is such a viable service, why isn't anybody else doing it?"

Eaton explains that he switched the formats of his two stations because the AM station had a weak signal that was capable of reaching the Spanish-speaking community—which is concentrated in one area—while the more powerful FM station could reach the more widely dispersed black audience. Asked if he had the impending loss of the AM station in mind, he replies enigmatically, "Life is subject to change without notice."

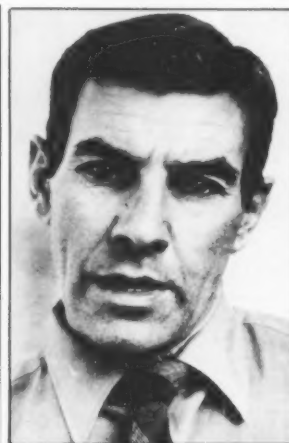
—BORIS WEINTRAUB

## CANADIAN CHILL

### Editor Faces 14 Years For Publishing Secrets

The Royal Canadian Mounted Police, it is said, always get their man. A recent case, however, has ensnared an unusual victim: the editor of a Toronto newspaper who has been one of the Mounties' most ardent supporters.

On March 17, Peter Worthington, editor-in-chief of the daily *Toronto Sun*, and the newspaper's publisher, Doug Creighton, were charged under the Official Secrets Act with possession of a top-secret document and communication of information contained in the document. It is the first time in Canadian history that a newspaper editor has been charged under the Official Secrets Act. A conviction, which can result in a 14-year prison sentence, can be obtained without the state having to prove the parties guilty—it need only show that their intention appears to have been "prejudicial" to



Is Toronto Sun editor Peter Worthington the target of a Trudeau vendetta?

the safety or interests of Canada.

Worthington allegedly violated the act when he included in his daily editorial column excerpts from a top-secret document prepared by the RCMP. The document, which Worthington said had been sent to him anonymously, was, he wrote, a "virtual catalogue of Soviet crimes against Canada and the Canadians." It mentioned the cases of a Canadian scientist

## HELLBOX

who had smuggled a highly classified new laser to the Soviets in 1971 and a Canadian journalist who was persuaded by *Pravda's* man in Ottawa to "act on behalf of Soviet interests when reporting Canadian political events." Worthington's charges came shortly after the expulsion, in February, of a dozen Soviet diplomats who were accused of spying.

The issue, according to Worthington, is a matter of conscience and responsibility. "When by accident or circumstance," he says, "a media outlet in Canada has unique or exclusive or even 'secret' information about activities against the country—which the top minister in the land is confusing or distorting—is there a responsibility, both as a journalist and a citizen, to

speak up?"

For years, Worthington has been one of Prime Minister Pierre Trudeau's bitterest enemies and has frequently published editorials attacking what it calls the Trudeau government's cover-ups of "aggressive acts against Canada." The editor readily admits that his efforts against Trudeau are a "labor of love." He contends that, "This liberal government has secrets that are an embarrassment to it on the eve of an election. The current action against the *Sun* has an intimidating effect on potential leaks and would discourage anyone from feeding information to the media."

The *Toronto Star*, a rival daily, wrote that the suit against Worthington and the *Sun* smacks of "selective persecution" because Trudeau "does not like the *Sun*." The Official Secrets Act, it noted, is being used to "silence a critic."

Compared to a controversial television documentary on national security entitled *Operation Code Blue*, aired on Canadian TV shortly after the expulsion of the Russian diplomats, the Worthington editorial is tame stuff. The program quoted from the same top-secret documents as Worthington did, and was seen by far more than the 184,000 people who read the *Sun*.

Shortly after the CTV program, Tom Cossitt, a conservative member of Parliament, was threatened with prosecution under the Official Secrets Act for statements similar to Worthington's which Cossitt made on the floor of the House of Commons. House debates are televised in Canada. But neither Cossitt nor CTV has been prosecuted. Canada's Solicitor-General Jean Jacques Blais refuses to comment.

The Trudeau government's

motives are not the only puzzling aspect of the Worthington case. Several observers in Ottawa have suggested that it is the Mounties, themselves, who leaked the information to the *Sun*, CTV, and Cossitt. In recent years, the Mounties have found themselves facing charges of illegal break-ins similar to those lodged against the FBI. According to George Bain, Ottawa correspondent of the *Star*, "The expulsion of 13 supposed Soviet spies did much to shine their tarnished image, at least in the public eye."

Worthington, who is scheduled to go on trial on June 12, is convinced that Trudeau is behind his prosecution. "He's certainly using power in an unprecedented way," he says. It remains to be seen whether one of Canada's most vocal defenders of national security will go to prison for revealing Canada's secrets.

—STEPHEN WILLIAMS

## RKO KO'D

### Boston Station Sold To WNAC Challengers

For the first time in U.S. broadcast history, a television station in a major market has been sold to a group of local investors who had been challenging the station's license before the FCC.

WNAC-TV in Boston, which has been operated for 30 years by the RKO chain, had faced a persistent and well-financed challenge based primarily on allegations of corruption against RKO's parent corporation, General Tire & Rubber of Akron, Ohio. After nine years of FCC proceedings, and on the verge of a new and possibly dangerous phase of the case, RKO decided that, rather than risk losing the case and the station, it would be wise to sell while it still had the chance. On April 28, New England Television,

Jerry Berndt/Boston Phoenix



David Mugar: He went head-to-head with RKO, and won.

a local group made up of executives from two formerly competing license challengers, acquired the CBS affiliate for \$59 million.

Two of the four top officers of New England Television are black, and total black investment is estimated at 14 percent.

The WNAC case began in 1969, when Boston financier

David Mugar, then just 30 years old and heir to a considerable fortune, filed a challenge to RKO's license to operate Channel 7. Mugar based his challenge on the promise that he would do a better and more public-spirited job of broadcasting than RKO and General Tire.

As far as the FCC is concerned, those are not sufficient grounds for denying a license renewal. So in June 1974, after 126 days of hearings filling 15,000 transcript pages, an FCC administrative law judge recommended that Mugar's challenge be denied on the basis of RKO's "superior record of performance."

But Mugar was not willing to concede defeat. "I realized that we probably wouldn't be successful unless we came up with some kind of bomb," he says. Mugar fired his lawyers and, in June 1975, hired a new team headed by Terry Lenzner, who had traced the intricate Nixon-Hughes-Rebozo connection as deputy chief counsel of the Senate Watergate Committee.

Lenzner and Mugar agreed that their only hope for resurrecting the challenge was to follow up allegations that RKO's corporate parent, General Tire, was so corrupt that it did not have the "character" to own a television license. So Lenzner and his team, including several old colleagues from the Ervin Committee, began a massive three-continent probe of General Tire.

"I pretty much had to open the checkbook and say go," explains Mugar. Lenzner's investigators ran up close to \$1 million in bills.

Six months later, Lenzner presented his findings to the FCC in a petition to reopen the record in the case. His charges were picked up by the Securities and Exchange Commission, which, on July 1, 1977, issued a report confirming and expanding Lenzner's charges.

The SEC report alleged that General Tire maintained illegal funds totaling millions of dollars for bribes and payoffs in Morocco, Spain, Mexico,

Liechtenstein, Chile, and elsewhere; conferred gratuities and free travel on U.S. government officials; and engineered a scheme to funnel thousands of dollars in illegal campaign contributions to dozens of political candidates. Since none of these transactions were reported to the IRS or SEC, many of them also constituted violations of tax or security laws.

While Mugar was pursuing his challenge, a black-dominated group headed by management consultant Bertram Lee was doing the same, though with considerably less money. Lee had argued that his group should get the WNAC license to help bring minorities into the broadcasting business, but the FCC doesn't consider that sufficient reason to reassign a license.

While no one at General Tire or RKO will admit it, the company may have been worried about the effects of an FCC decision to reopen the case and consider the new charges. If RKO had lost the license, it would have lost its equity in WNAC, and it would have been vulnerable to license challenges against its other stations.

Mugar, sensing RKO's concern, approached his rival challenger, Bert Lee, and the two agreed to make a combined offer to buy the station. "Mugar had the money, and Lee had the black faces," one observer says.

The merged group, New England Television, began negotiations with RKO in February, and struck a deal within two months. Mugar, who will be president of the new WNAC, expects formal FCC approval of the sale within a few months.

"We're looking forward to the time when we really will be public trustees," Mugar said after the sale. "We hope to try to change television—to make it more meaningful and important to the people it serves."

—STEPHEN KINZER

## SUICIDE ATTACK

TV Show Stirs Protest  
By Northwestern Univ.

The Daily Northwestern



Producer Mike Hirsh (left) talks with student Dean Rotbart (center) and Northwestern University official in the dorm some students called a "mental health disaster."

*College Can Be Killing* is the title of Michael Hirsh's recent documentary about college suicide. It might also be the title of a story about how Northwestern University tried to stop the show from being aired on Chicago's public television station WTTW.

The documentary describes the treatment of student suicides at Northwestern in Evanston, Illinois, and the University of Wisconsin. It concludes that, while Wisconsin is a model of administration attention to the treatment of emotional problems, "Northwestern University has not made the mental health of its undergraduates a priority concern."

Hirsh began work on the program last fall after being approached by several disgruntled Northwestern students. "They said that there was a dorm at Northwestern which was a mental health disaster, and that suicide attempts occur regularly that the university covers up," says Hirsh. "One student said, 'The situation is so bad I can guarantee you a suicide before Christmas.'" Sure

enough, on November 8, Northwestern junior Jane Mitrenga killed herself. Hers was the first officially confirmed suicide at the school in seven years.

That night, when Hirsh visited Mitrenga's dorm, university security officers threatened to arrest him for trespassing. Hirsh left, but promised to return. University Relations Director Jack O'Dowd subsequently wrote a letter to WTTW's general manager, William McCarter, warning him of the consequences if Hirsh returned with a camera crew. "I told Hirsh that I was not going to permit this," wrote O'Dowd, "and he seems to feel he is going to do it anyhow. I assure you that he will not. I suggest that you advise him that I am serious."

Hirsh did return, though, and says he was again threatened with arrest, this time for violating a university rule which forbids students from inviting reporters or photographers to the campus without prior approval from the university's public relations office. In a further attempt to block Hirsh, O'Dowd invoked another rule requiring that a university representative be present when outside reporters interview students on campus. One student, Dean Rotbart, who had originally suggested the suicide show to Hirsh, informed the public relations office he was not interested in having a university official sit in on his talk with Hirsh. But one came anyway and leaned against Rotbart's door listening during the filmed interview.

After that episode, Hirsh and O'Dowd met to clear the air. O'Dowd, apparently wearying of the battle, lifted his restrictions, and Hirsh was allowed to complete his interviews with both students and administration without interference. But O'Dowd later wrote a second letter to WTTW's McCarter expressing his fears that the university might be "sandbagged."

Shortly after, Rotbart began a university-sponsored internship at WTTW, where he worked as research and production assistant on *College Can Be Killing*. Both Rotbart and Hirsh scoff at the notion that this represents any conflict of interest.

*College Can Be Killing* was originally scheduled to be shown on WTTW on February 1. McCarter refused to let it run on that date because, he told *The Daily Northwestern*, it had a "thinly disguised bias" against the university. "Before Mr. McCarter gets into a public pissing match with me," Hirsh responded to the *Daily*, "he ought to talk to me personally." Hirsh and McCarter now explain the delay as the result of communication problems at the station.

The final version of the show and the one which would have been aired in February do not differ a great deal, although McCarter insisted on removing a line of narration which said, "Some [students] may not need an environment as caring as the University of Wisconsin's. Others may not survive an environment like Northwestern's."

McCarter won't say whether he thinks the "thinly disguised bias" was removed from the program. "I think to talk about biases would be oversimplifying the whole process," he says.

But some Northwestern administrators feel the show still reflects an obvious bias against the school. Dean of Students Virginia Landwehr, who appears on the program, calls it "an unfair presentation of Northwestern."

Hirsh laughs at charges of bias. "If a biased news story means one that is not in Northwestern's best interest, then I happily plead guilty," he says. "The kind of television I've produced in the past that works on many, many kinds of issues is good guy-bad guy television. People understand it."

—RICHARD EISENBERG



# NINE JUSTICES FOR SEVEN DIRTY WORDS

## Supreme Court To Rule On FCC Complaint Against WBAI For Airing Carlin Routine

Should corporations be entitled to free speech?

BY NICHOLAS VON HOFFMAN

Early in the afternoon of October 30, 1973, a man and his son were in a car tuned to WBAI, a New York City FM radio station. They were listening to a regularly scheduled talk show called *Lunchpail*, which on that day was devoted to a discussion of social attitudes toward language. Cause for an after-lunch *siesta* for most of us, but shortly before *Lunchpail* concluded, host Paul Gorman aired a cut from a long-playing record which tripped the man in the car into initiating what has become a major free speech broadcasting case, a case which has involved every important corporate interest in broadcasting and which was finally argued before the Supreme Court in April.

No tape recording of the program was made, but WBAI says that immediately before playing the cut from George Carlin's *Occupation: Foole*, "listeners were advised that it included sensitive language which might be regarded as offensive to some; those who might be offended were advised to change the station and return to WBAI in 15 minutes."

The man in the car, identified by the Federal Communications Commission only as "a citizen," did not move to another megahertz, so he and his son heard Carlin do a comedy routine about "the swear words, the cuss words, and the words that you can't say, that you're not supposed to say all the time." Because the FCC not only objected to the broadcasting of the seven bad words used in the Carlin monologue (shit, fuck, cocksucker, motherfucker, piss, cunt, and tit) but was also particularly upset that they were "repeated over and over," you need a sample of what the comedian was saying to understand this fuss:

"... The word shit is an interesting kind of word in that the middle class has never really accepted it. . . . They use it like crazy but . . . it's still a rude, dirty, old kind of gushy word . . . they say it like a lady . . . in a middle class home . . . she says it as an expletive. . . . She says, Oh shit, oh shit. If she drops something, Oh shit. . . . the word shit is okay for the man. At work you can say it like crazy. Mostly figurative. Get that shit out of here, will ya? I don't

want to see that shit anymore. I can't cut that shit, buddy. I've had that shit up to here. I think you're full of shit myself. He don't know shit from Shinola. . . . Always wondered how the Shinola people felt about that. . . . Boy, I don't know whether to shit or wind my watch. Guess I'll shit on my watch. Oh, the shit is going to hit *de fan*. Built like a brick shit-house . . . he's up shit's creek. . . . Hot shit, holy shit, tough shit, eat shit, shit-eating grin. . . . Shit on a stick. Shit in a handbag. I always liked that. He ain't worth shit in a handbag. Shitty. He acted real shitty. . . . He had a shit-fit. . . . All the animals — bull shit, horse shit, cow shit, rat shit, bat shit. First time I heard bat shit, I really came apart. . . . Snake shit, slicker than owl shit. Get your shit together. Shit or get off the pot. I got a shit full of them. I got a shit pot full. . . . Shit-head, shit-heel, shit in your heart, shit for brains. Shit-faced. I always try to think how that could have originated."

### Naughty And Indecent

Mr. Carlin's effort may or may not strike your funny bone, but it does suggest that the words over which this controversy has been waged for five years are scarcely seldom-uttered taboos. That's not how the FCC saw it, however. On the basis of a citizen's complaint (the only complaint ever received about the program), it issued, in February 1975, what's called an Order in the parlance of broadcasting regulators, which declared that WBAI was naughty and that the words in Carlin's monologue were *in se* indecent. As such, they cannot be licitly broadcast at any time when it is reasonable to suppose large numbers of children are listening.

To realize how birdlandish the FCC's action is, you must know that it is not reasonable to suppose children ever listen to WBAI. The station is run by the Pacifica Foundation, a not-for-profit corporation; it takes no ads, plays no bubblegum music, and is directed primarily at avant-garde intellectuals, unemployable Ph.D.'s and other overeducated malcontents who, depending upon your politics, may be juvenile in spirit but certainly not in age. Moreover, as the major networks point out in their *amicus curiae* brief to the Supreme Court, studies show that next to no children listen to any radio station at that hour on a weekday for the reason that they are locked up in school imbibing their sex education courses, where pre-

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sumably Carlin's cocksucking is referred to as fellatio, a term whose acceptability for broadcasting the FCC has yet to rule on.

### Felonious Words

In issuing its order—which Pacifica's lawyers correctly charge creates, *a la* the old Papal Holy Office, an *Index Verborum Prohibitorum*—the FCC was undoubtedly reacting to political pressure from Congress to do something about sex and violence in broadcasting. At the same time, it may have been struggling with the contrary mandates given it by Congress in the Communications Act of 1934, the law which gave the FCC life:

"Nothing in this Act shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication. No person within the jurisdiction of the United States shall utter any obscene, indecent, or profane language by means of radio communication."

Since the passage of the act, the last sentence banning naughty language has been moved into the felony chapters of the U.S. Code, making such utterances literally a crime. Nevertheless, although Simon Simple civil libertarians believe all would be well simply by decriminalizing George Carlin's excremental expressions, most Americans probably would be very unhappy if radio and television were really given First Amendment rights and exercised them. This point of view may have been best expressed by the United States Catholic Conference, which filed an *amicus curiae* brief in support of the FCC's position, stating, "Contrary to what Mr. Carlin suggests, it is not the words

which are of concern, but the societal context in which 'speech' takes place. Vulgarisms, racial epithets, and religious slurs are destructive of the civility which is necessary to the order of society." If you doubt that this is a broadly held opinion, contemplate the reaction if those Nazis who wish to march in Skokie had been given 11 minutes of air time for their indecencies.

For all but hard-core ACLU-ers, the argument in this case isn't over the censorship of indecency but over what constitutes indecency. The *King James Bible*, I Samuel 25:34, contains the words, "... surely there had not been left unto Nabal by the morning light any that pisseth against the wall." And we have Chaucer telling us, "This Nicholas anon let flee a fart." Alas and alack for the FCC, its order prohibits broadcasting the uncensored texts of half of the English language's classics. Thus, while Shakespeare rollicks in filthy, tasteless puns ("Pistol's cock is up; and flashing fire will follow," *Henry V*, Act II, Scene I), the Commission reported to Congress in 1975 that, "Obnoxious, gutter language... has the effect of debasing and brutalizing human beings by reducing them to their mere bodily functions, and we believe that such words are indecent within the meaning of the statute."

When the FCC order came down, it scared the hell out of the broadcasting industry. Its thrust was that a broadcast license might be in jeopardy at renewal time if one errant "fuck" got on the sound track of a news story about an angry political demonstration. WBAI appealed the FCC order to the nation's most liberal Federal Court of Appeals in the District of Columbia, which, even with the Justice Department taking the Commission's side, ruled in March 1977 that, if anybody was full of it, it wasn't Carlin but the FCC.

Instead of dropping the

matter and telling Congress there was no more it could do, the FCC decided to try for a reversal in the Supreme Court. By the time the case was argued in April, the Justice Department had rethought its position and had switched over to WBAI's side. Now all await word from Warren Burger *et al* on high.

### Regulating Expression

Whatever the decision, it probably won't be too terribly definitive. We are still caught in the same contradiction that was first written into the 1934 Communications Act. The country's official theology is that speech in all its forms is to be free, but societies always regulate the most vivid forms of expression. Plato warned that you can't run a country if you let the poets and the musicians run amok, and from that time until the popularization of the movies, the theatrical stage was either suppressed or licensed. The legitimate theater was freed from these constraints when it ceased to be the most vivid means of communication; then it was the movies' and the radio's turn to be censored; the movies, in their turn, were set free when television supplanted them. At the same time, the reins on radio were loosened but not cut, with the result that you can say more dirty words in that medium than on Johnny Carson, but you can't say all of them.

Since there's no way of yoking prior restraint and free speech, part of the job of the business executives and bureaucrats involved is to make sure disagreements about content get settled without resort to the courts or other formally coercive mechanisms. The FCC likes to refer to the system as "self-regulation." There's nothing secretive about how the system of censorship works. It's routinely described in trade publications and in documents such

as the FCC's report (February 19, 1975) to Congress on "The Broadcast of Violent, Indecent, and Obscene Material," in which the WBAI case is discussed. This same report tells of the scores and scores of meetings with industry executives in order to promulgate non-official industry "codes" which govern what will and will not be aired.

WBAI got into trouble because it isn't part of the collegium of stiflement. It serves a mildly left-radical, upper-middle-class audience which couldn't care less if its kids heard George Carlin turn the word shit into a scatological mantra. The station's personnel, although often intelligent and gifted, are the sort that get excluded by network hiring offices and the stations which adhere to standards of good conduct. In short, if the FCC wanted to show Congress and the Watch and Ward Society it was protecting America's hymens, there was no one better to pounce on than a pariah broadcaster like Pacifica's WBAI.

The commission isn't about to close WBAI down. Its order carried no penalties. Moreover, if it didn't have a few WBAI's to chastise from time to time, it might seriously have to address such problems as helping parents keep programs they find objectionable out of their homes. There are lots of ways to do this, but no ways which NBC, CBS, or ABC would like. For example, there is a \$50 gimmick called the Video Proctor. Hook it up to the TV and instruct this little computer what programs you want your kids to watch this week, and it will frustrate reception of any material not parentally approved. But Video Proctor does away with the undifferentiated mass audience that network television is built on. Given our ruling values, censorship can only be lifted if the mass, national audience is shattered into smaller, selective ones which really do choose their programming

from a variety that runs from Carlin to Welk.

Should WBAI be sustained by the Supreme Court, it won't constitute much of a victory for free press or speech. The battles fought with the Federal Communications Commission over these questions don't pertain to individuals, but to the corporations which own every network broadcasting station. Ordinary people will still have to demonstrate they are "qualified representatives of an opposing point of view" even to get on the air to rebut the occasional station editorial in favor of stop signs near nursery schools. George Carlin himself will not have a better chance to speak funny, indecent words on the air. It will still be up to a corporate employee (Pacifica is a corporation, albeit a benign, non-profit one) to decide to play his record on the air.

Because Walter Cronkite self-evidently believes what he's saying, we slip over recognition that he is also an employee who, no matter how huge his ratings, will be but an electronic memory if he should decide he is as funny as George Carlin and say shit on the air. Most reporters, electronic and print, agree with their bosses enough of the time, or swallow the cud of dissent often enough, so they don't have to be reminded that the podiums and platforms they occupy are the property of corporate management.

## Corporate Speech

A Supreme Court vindication of Pacifica, then, may actually set back the cause of individual free speech by favoring corporate free speech. In a recent decision striking down a Massachusetts law which prevented corporations from putting money into referendums, the Court declared that corporations, like people, can have civil rights. Chief Justice Burger reasoned that unless corporations were accorded

First Amendment rights, the gigantic media corporations which own and operate the nation's newspapers and broadcasting stations might be subject to control and regulation.

Following the Court's line of reasoning, Exxon, which certainly has the dough to do it, could buy up the Knight-Ridder newspaper chain tomorrow and, hiding behind its newly acquired First Amendment rights, print endless editorials backing its candidates and its causes. We're not so far from that now. A few years ago, ITT almost got ahold of the American Broadcasting Company, and the Outlet broadcasting chain is run by a department store company.

A case could be made that corporations in the media business are already able to evade the intent of the laws designed to keep them out of electoral politics, but if the Burger view prevails—and it's certainly the way the Supreme Court and Congress have been drifting—non-media corporations won't even have to find media fronts to operate behind.

Burger isn't unaware of this, but he wants to endow corporations with the same legal status that human beings have to get around another problem. That is, the only way to give media corporations First Amendment protection is to give it to all corporations, unless you want to rule that companies engaged in the production of printed material or broadcasting have special rights no other corporations have. That, as Burger has pointed out, is a back door way to license the press, since some government body will then have to determine what is and what isn't a bona fide media corporation. That's how *The New York Times* would like to solve the conundrum. "Is it really so difficult to pick out the press in a gallery of corporations?" it asked in an editorial on May 7. "Did the Founders who

provided for freedom of the press not recognize that the owners of some presses would also own lands or slaves?"

A cute argument, but one which skips over the fact that the Founders, as the *Times* so reverentially refers to our Communion of National Saints, would have been appalled, not at a slave owner owning a newspaper, but at the idea of a modern corporation owning one. Late 18th-century American society could not comprehend an organization other than the state possessing so many powers.

## Disincorporation

During the nation's first century of existence, corporate status—which insulates the owners from personal responsibility for company debts or malfeasance—was usually given by special act of a state legislature. The act of incorporation usually specified exactly what business the organization could engage in, and it often fixed how much stock could be issued, as well as other details of running the operation. Far from being a new idea, corporate regulation is a very old one. What would surprise the founders is the extraordinary amount of freedom our generation has accorded corporate enterprise.

"A corporation is an artificial being, invisible, intangible and existing only in contemplation of law," wrote Mr. Burger's illustrious predecessor, John Marshall, in 1819. "Being the mere creature of law, it possesses only those properties which the charter of its creator confers upon it, either expressly, or as incidental to its very existence." From that definition, it is impossible to deduce First Amendment rights either for the Chase Manhattan Bank or *The New York Times*, as corporations — although every owner, executive, and employee of the *Times* enjoys the right of free speech as an

individual.

Thus, in the WBAI case, a ruling that would be truly in keeping with our democratic traditions would be one which affirms George Carlin's absolute right to say any set of nasty words on the air or off, but also affirms the right of the government to license and censor Pacifica as a corporation. Then, *The New York Times*, CBS, and every other organization in publishing and broadcasting could choose to remain a corporation and be subject to such regulation and censorship as the state may mandate, or to go private. As an unincorporated entity, it would enjoy none of the privileges and immunities of a corporation, but would have all the rights of a citizen, including those most precious ones of free speech and press.

An unincorporated mass media would mean a decentralized mass media. It is next to impossible to run companies the size of *The Washington Post* or Time, Inc. without incorporation. Whether this would make for a better mass media is by no means certain, but it would satisfy the American demand for decentralization and diversity. The eccentric and distinctive journalism of a Hearst, a Patterson, a Pulitzer, or a Chandler derives from the proprietor-operator—before incorporation became the ruling form in the mass media. Forcing massive disincorporation ought to foster a return to the kind of diversity we took for granted long, long ago.

The other possibility is private broadcasting. For three nights in April, an unlicensed, unincorporated, and unknown crew commandeered Channel 7 in Syracuse, New York, without the FCC's knowledge or approval. The public was treated to *One Flew Over the Cuckoo's Nest*, *Deep Throat*, and *Rocky*. That's wide-spectrum programming, even if the FCC is still looking for the only set of broadcasters in America who enjoy unrestricted free speech. ■



# 10 YEARS AFTER TET: THE BIG STORY THAT GOT AWAY

## Widely Hailed Book On Vietnam Reporting Asks Wrong Questions, Gets Wrong Answers

How the press swallowed the government line.

BY NOAM CHOMSKY

"Well before the 1968 Tet offensive began, the performance of the press and television seemed to Freedom House to require critical analysis." These are the opening words of the foreword to *Big Story*, Peter Braestrup's two-volume study of the performance of the media during the Tet offensive in Vietnam in February and March 1968.\* His judgment of the media in the final sentence is that "a free society deserves better." These observations are significant, correct, and in dramatic contrast to what lies between, which includes little of significance and much that is false.

The major conclusion of Braestrup's study is that "rarely has contemporary crisis-journalism turned out, in retrospect, to have veered so widely from reality" in having "portrayed such a setback for one side [them] as a defeat for the other [us]." Many commentators have assumed that Braestrup, who was himself a Vietnam war correspondent for *The Washington Post*, proves his case and that the case is an important one. In *The New York Times Book Review*, Edwin Diamond agreed with Braestrup that media coverage "gave the impression of a victory for the North" and lauded him for his "conscientious" and "painstakingly thorough study." Syndicated columnist John P. Roche described this "six-year" study with its "endless attention to accuracy" as nothing less than "one of the major pieces of investigative reporting and first-rate scholarship of the past quarter century," and called for a Congressional investigation of the media. In April, Sigma Delta Chi awarded Braestrup its Distinguished Service Award in journalism research.

But a careful reading of *Big Story* sustains none of this praise. The analysis is careless, inaccurate, often plain false. When it is corrected, little remains of Braestrup's case. More significantly, the questions to which he restricts his inquiry avoid the important issue of the relation between the press and the state.

\**Big Story: How the American Press and Television Reported and Interpreted the Crisis of Tet 1968 in Vietnam and Washington*. By Peter Braestrup. Published in two volumes by Westview Press in 1977 in cooperation with Freedom House. (Volume I contains the basic text; Volume II, analytical tables, transcripts of press briefings and news reports.) An Anchor Books paperback edition, released last month, contains only Volume I.

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A minimally serious investigation of the issue posed by Freedom House would have begun by asking how the media dealt with the nature of the war. Did they accept uncritically the framework of government propaganda, as in a totalitarian society, or did they make use of the freedom they enjoy to evaluate this doctrine and alternative views?

### State Propaganda

There were, clearly, very different conceptions of the nature of the war. According to the U.S. government version—developed and maintained by a network of official sources—henceforth referred to as "the state propaganda system," the U.S. intervened to defend South Vietnam from "aggression from the North" aided by a northern-controlled terrorist organization, the "Vietcong." Those who accepted this picture as accurate referred to the Saigon government as the "South Vietnamese" and to its adversaries as "Hanoi" or its agents; they spoke of the U.S. forces as "defending" or "protecting" South Vietnam and its people. The only question that arose was whether U.S. aims could be achieved at a reasonable cost. Those who believed so were called "optimists" or "hawks," while doubters were called "pessimists" or "doves." Zealous advocates went even further, denying the existence of other views, or dismissing them as "emotional" and "irresponsible."

The American media rarely strayed from the system of state propaganda. Their commitment was tacit and uncritical to the end. Consider *The New York Times*, which Braestrup claims was dominated by "doves" and had an "antiwar editorial stance." In its editorial retrospective at the war's end, the *Times* described the "decade of fierce polemics" between those who felt that the U.S. could win and their more skeptical opponents. This "antiwar" journal did not attempt to refute nor did it even reject the position of those who opposed the war on principled grounds, independent of the prospects for success. Rather, they were simply not part of the controversy as the *Times* perceived it. By Braestrup's standards, the *Times* was "antiwar"—and by parity of argument, so was much of the German General Staff in 1944. By the standards of those who do not automatically accept the state propaganda system as *a priori* truth, the *Times's* "editorial stance" was zealously prowar, though increasingly pessimistic in its cost-benefit analysis.



UPI Photo by Dana Stone



Saigon Army soldiers killed in Da Nang during the Tet offensive in January 1968. Was American reporting too pessimistic?

The *Times's* retrospective analysis was typical. Even in the 1970s, the media have been remarkable in their willingness to accept the government version of events. As Philip Knightley observes in *The First Casualty*, "the [Vietnam] correspondents were not questioning the American intervention itself, but only its effectiveness" in the critical early stages—and, indeed, throughout.

The documentary record provided by Braestrup (the sole contribution of the study) reveals how deeply the state propaganda system permeated news reporting as well as commentary. Consider, for example, the reports in the *The Washington Post* and the *Times* of the fighting in the Mekong Delta towns of Ben Tre and My Tho. American infantry participated, and the towns were blasted by American bombers, helicopter gunships, Navy patrol boats, and artillery. The enemy were "Vietcong"—i.e., South Vietnamese guerrillas who "were probably living with the people" (in Ben Tre), according to a quoted American officer. But the news reports speak of the perceived need to bomb the poorer and most crowded sections (of My Tho) "to save other sections of the city and the lives of the thousands of people . . ." and explain that "the protection" of Ben Tre was limited because of Tet. Perhaps this analysis can be supported, despite its *prima facie* absurdity. But what is striking about the performance of the media, whether in editorial commentary or straight news reporting, is

that it was simply adopted without question, exactly as we would expect in a true totalitarian system. Perhaps that fact does merit investigation—though not, as John Roche suggests, by Congress, whose conduct was hardly different.

There were, of course, other views of the nature of the war—for example, those of the antiwar movement. (I refer to those who opposed the war on grounds of principle, not the "pessimists" who were skeptical about the prospects for American success.) According to one such view, U.S. planners, fully aware that the Vietminh was the major nationalist force in Indochina, undertook to support the French effort to destroy the Vietminh and recapture their former colony, and did so on the basis of rational, conscious, and explicit imperial planning that is well-documented and consistently ignored. After failing to reimpose French rule, the U.S. installed a client regime in South Vietnam which at once undertook programs of terror and repression against the Vietminh in the South. When the victims took up arms in self-defense in the late 1950s, quickly threatening the existence of the U.S. client regime, American planners turned to bombing of villages and forced dislocation of vast numbers of peasants. After the failure of such measures, the U.S. invaded South Vietnam directly in 1965, extending the war to North Vietnam, then Laos and Cambodia. Those who shared these assumptions used the term "South Vietnamese" to refer to the people of South

Vietnam—among them, the “Vietcong”—and spoke of the U.S. as engaged in aggression against the population of South Vietnam.

To lay my own cards on the table, I think that the framework of state propaganda is quite untenable in the face of the documentation available from government studies and other sources, and that the opposing position just sketched is basically correct. The U.S. government in the early 1960s estimated that about half the population supported the “Vietcong,” while the government installed by the U.S. had very limited popular support. John Paul Vann—a leading government specialist in “pacification” and one of those whom Braestrup takes seriously—argued in a 1965 memorandum that the U.S. must institute “effective political indoctrination of the population” under an American-maintained “autocratic government,” since it was naive to expect that the “unsophisticated, relatively illiterate, rural population” would oppose the social revolution that he recognized was in process in South Vietnam, “primarily identified with the National Liberation Front.” Hence the outright American invasion in 1965 at a time when, as General Westmoreland later stated, “the enemy was winning”—and well before any organized North Vietnamese units were discovered in the South. Hence also the well-known tactics urged by other American experts whom Braestrup admires, for example, Ambassador Robert Komer, who headed the U.S. pacification effort, and who recommended, in April 1967, that the U.S. “step up refugee programs deliberately aimed at depriving the VC of a recruiting base.” The U.S. would finally succeed, Komer argued, in “grinding the enemy down by sheer weight and mass.”

“U.S. intervention in 1965 enjoyed near-total . . . editorial support,” as Freedom

House Executive Director Leonard Sussman correctly observes in his introduction. And throughout this period, direct reporting rarely strayed from the official doctrine.

### Asking The Wrong Questions

Did the media uncritically embrace the state propaganda system? This, obviously, is the crucial question—the one that we would raise at once, for example, in evaluating the performance of *Pravda* at the time of the invasion of Hungary or Czechoslovakia. In contrast, the question of whether *Pravda* may or may not have been too “pessimistic” would seem of limited significance.

Exactly the same standards are applicable at home. Someone who rejects these standards will proceed in quite a different way in studying the media. He will begin by assuming that the state propaganda system is sacrosanct and must be accepted by all right-thinking people; no challenge to its basic tenets can be tolerated. An unusually bold propaganda exercise would go even further. Like the American press, it would take the framework of state propaganda to be beyond challenge even in principle, ignoring, rather than refuting, opposing views, on the grounds that no defense is necessary for official dogma. The propagandist can then limit himself to the secondary question of whether the media were on occasion too “negative” or “pessimistic” in their assessment of the programs pursued by the state they serve.

Neither Braestrup nor his Freedom House sponsors show any interest in a minimally serious investigation of the performance of the media. The framework of state propaganda is adopted without question, perhaps even without awareness, beginning with the chapter headings: “Military Victory or Defeat for Hanoi?” “North Vietnamese

Performance” (which includes the “Vietcong”), “South Vietnamese Performance” (which excludes them). Recall that the enemy was overwhelmingly South Vietnamese in 1968, while the “allies,” apart from half a million Americans, included about as many Thai and Korean mercenaries as the estimated number of North Vietnamese troops who had been drawn into the war after the bombardment of the North; and that in the Delta, where enemy successes were greatest, “no regular North Vietnam units” were engaged, according to Defense Secretary Robert McNamara’s January 22, 1968, Senate testimony.

Given their tacit commitment to the state propaganda system, it is natural that neither Braestrup nor Freedom House should even notice the most remarkable conclusion demonstrated in the documentation assembled here: namely, that the media unquestioningly adopted this framework in news reporting and analysis. The demonstration is incidental, since Braestrup’s study never so much as addresses the issue in more than 700 pages of text. Rather, Braestrup’s investigation is limited to a subsidiary question: were the media too “negative” in their assessment of the prospects for American victory (the defense of South Vietnam) during the two-month period surveyed. The portentous conclusion reached is that they were, though this was more a matter of incompetence, Braestrup says, and not a conspiracy by Eastern liberals.

### A Free Press?

Two questions arise: (1) does Braestrup establish his case? and (2) why should anyone care? I will return to the first question, but the second is far more important. A comprehensive inquiry into the performance of the media throughout the war would

surely show that at certain times they exaggerated the prospects for the success of American arms, while at other times they were too “pessimistic” in this regard. (For example, as Braestrup notes, *Time* magazine was “euphoric” in 1962-6, and the *Post* found Westmoreland’s overly optimistic estimate of November 1967 “encouraging.”) It is only if, in accordance with the true totalitarian mentality, we accept the doctrines of the state propaganda system as beyond challenge or inquiry, that it will seem significant that the media at times erred on the side of “pessimism,” perhaps even contributing to the failure of the noble enterprise that they must not only support, but support with due optimism and zeal.

The basic assumptions of this study are laid out clearly from the start. In his foreword to the two-volume edition, Sussman asks, “Must free institutions be overthrown because of the very freedom they sustain?”—thus presupposing without argument that the press is using its freedom to threaten free institutions, in this case, those “defending” South Vietnam. Evidently, other questions might be asked: e.g., is the press failing to use its freedom and thus threatening free institutions through its submissiveness to the state? But this question is not likely to echo through the corridors of Freedom House.

All crucial questions are similarly begged in Sussman’s introduction. He describes the “adversarial aspect” of the press-government relation as “normal,” presupposing that the press is—normally, or in time of war—in an “adversarial” relation to the state on basic issues. But never does he raise the dread question: did the press blindly accept the government propaganda framework? He notes “the question of whether Tet produced a military victory for Hanoi” shortly after quoting reporter Don Oberdorfer’s reference to “the indigenous

Vietcong, who did most of the fighting and dying"—which suggests a rather different formulation of the question. He agrees that "American firepower was correctly blamed for many civilian deaths and much of the urban damage," but faults the press for seldom describing the "invading Vietcong" as "prone to killing noncombatants." His claim is false, as we shall see, though consistent with Braestrup's commentary.

Braestrup sets the stage by telling us that his "chief attitude became one—perhaps endemic to newspapermen—of skepticism toward most of the actors" in the controversy over Vietnam. A few lines earlier he writes that, while "getting into Vietnam proved to be a costly American mistake," he "saw some redemption in a peace that would give the long-suffering South Vietnamese time to work out their destiny free from communist reprisal or 'liberation'" (but not from reprisal or "liberation" of the sort conducted by the U.S. and its local clients), thus expressing clearly his complete lack of skepticism with regard to the doctrine of the main "actor," namely, the one who defined the framework within which the media operated.

When *Time* faults Westmoreland for not having "built the South Vietnamese Army," Braestrup objects to the assumption that Westmoreland could build the army of "an independent foreign nation," a reference that would embarrass a moderately sophisticated propagandist—surely no one familiar with the facts could refer to the Saigon regime as the "independent nation" of South Vietnam. The American goal before Tet, according to Braestrup, was "the gradual takeover of the war and countryside by the South Vietnamese against a foe weakened by U.S. mobile forces and firepower," which suggests something about the nature of the war—something quite

relevant to the question of media coverage—when we recall that the indigenous Vietcong, who had virtually won the war in 1965, were still doing most of the fighting and dying after years of "grinding down" by U.S. mobile forces and firepower. If the Vietcong are to be designated as "Hanoi," then surely the Saigon army should be referred to as "Washington," given the undisputed facts about relative dependence and foreign involvement—even if we put aside the question of who is a foreigner in Vietnam. But such comments as these, though obvious, would be as unintelligible to Braestrup and his sponsors as to the media he surveys.

Braestrup not only adopts the assumptions of the state propaganda system, he treats them as beyond question, a stance that protects the analyst from addressing the most serious issue: how did the media deal with the very nature of the war in commentary and news reporting?

### A Flimsy Case

Let us turn now to the subsidiary question to which Braestrup's study is restricted. It is widely believed that he has proven his case against the media, apparently on the assumption that if there are strong conclusions and 1500 pages of text then there must be some relation between the two. A careful look suggests a different judgment.

I have already noted Braestrup's conclusion that the media, in an "extreme case" of journalistic incompetence, misrepresented a setback for "Hanoi" as a defeat for the U.S. In order to establish this conclusion, it is necessary to fix some baseline for accuracy of reporting of the confused unfolding events, and then show that the media systematically deviated from it in the direction of "pessimism." One such baseline, which would meet the ideological requirements of Freedom

House, could have been the internal assessments of U.S. intelligence and other U.S. government sources, as presented, for example, in the *Pentagon Papers*. But Braestrup offers no such standard against which to measure media reporting, perhaps because these internal government assessments were at least as "pessimistic" as those made by the media. As for the second crucial task, while Braestrup collects and discusses many examples to illustrate media coverage, his account contains so many errors and misrepresentations as to be essentially without value. His standard technique is to quote some fragment, restate it exaggerating its "pessimism," and then refer to it, often many pages later, with extreme distortion, pronouncing conclusions that are in no way substantiated by the original documentary evidence cited. Since his argument consists of nothing but a compilation of alleged examples, we can evaluate it only by considering a representative sample.

To Braestrup, TV commentators and *Newsweek* were the worst offenders. One example to which he reverts several times is Walter Cronkite's "much publicized half-hour CBS 'special' on the war" on February 27. According to Braestrup, Cronkite's "assessment" in this TV special was "that U.S. troops would have to garrison the countryside." The text of Cronkite's report is given in volume II. It contains no hint of such an assessment.

"In effect," Braestrup claims, "Cronkite seemed to say, the ruins, the refugees, the disruption of pacification that came at Tet, added up to a defeat for the allies that would force President Johnson to the negotiating table." The facts are quite different. In what he described as a "speculative, personal, subjective" judgment, Cronkite stated that the U.S. is probably "mired in stalemate,"

and that historians may conclude that the Tet battle was "a draw." He does not say that Johnson will be "forced" to the negotiating table by a "defeat," rather, that if indeed there is a "stalemate," then "the only rational way out then will be to negotiate, not as victors, but as an honorable people who lived up to their pledge to defend democracy, and did the best they could" (note the typical reiteration of government propaganda concerning American aims). He stated further that "to suggest we are on the edge of defeat is to yield to unreasonable pessimism." In an earlier broadcast, he "assessed" the impact of the communist offensive (so Braestrup states), by citing U.S. and Vietnamese sources reporting that "first, and simplest, the Vietcong suffered a military defeat." The example is typical of the relation between Braestrup's conclusions and the evidence he cites.

Similarly, on an NBC special of March 10 that Braestrup repeatedly condemns, Howard Tuckner stated that, "Militarily the allies won." Other reporters frequently said the same thing.

Braestrup cites a comment by CBS's Robert Schakne suggesting that more troops might be requested "to help get the Vietnam pacification program back on the road." Braestrup gives the following paraphrase: "In short, the United States would now have to take over the whole war, including the permanently damaged pacification program, because of Saigon's failures." This is a gross misrepresentation of Schakne's perfectly reasonable comment. Braestrup further claims that Schakne attributed "this argument" to Robert Komer. This he calls "a CBS exclusive," his standard term of derision. In fact, "this argument" is a Braestrup exclusive, one of many.

Braestrup then goes on to claim that Cronkite "used the



same argument almost verbatim, but with an even stronger conclusion" in a February 28 radio broadcast. What Cronkite said is that "presumably, Ambassador Komer told a sad tale to President Johnson." He then repeated accurately the basic facts presented by Komer in a briefing four days earlier, and concluded that, "It seems likely that today Ambassador Komer asked President Johnson for more American troops so that we can permanently occupy the hamlets and fulfill the promise of security to their residents, a promise the Vietnamese alone apparently cannot honor." Cronkite's speculation that U.S. troops would have to help fulfill a promise that the Vietnamese alone apparently cannot honor hardly seems unreasonable three days after Westmoreland had stated that "additional U.S. forces will probably be required" and four days after Komer had described the Tet offensive as a "considerable setback" to pacification. It is, incidentally, possible that Braestrup had this radio broadcast in mind when he referred falsely to Cronkite's "assessment" in his much publicized TV "special." If so, it is one of many cases of incorrect reference and misattribution in this major work of scholarship.

TV is not alone in being subjected to "Braestrup exclusives." According to Braestrup, "no one," except for George McArthur (AP) and Don Oberdorfer (Knight), "reported... on what happened to Hue's civilians under Vietcong rule." Then, in magnificent self-refutation, Braestrup cites reports on Vietcong executions and kidnappings in Hue, under Vietcong rule, by *Newsweek*, UPI, *The Washington Post*, *Time*, *The London Times*, *The New York Times*, and the *NBC Today* show. (The latter is cited on page 472. On page 283, Braestrup falsely writes, "The television networks, as far as our records show, made

no mention of the executions at all.")

To cite another Braestrup exclusive, Max Frankel commented in *The New York Times* that pressures at home and in Vietnam "are thought to have raised once again the temptation of further military escalation." He was quite right. As Braestrup points out, "Wheeler [Chairman of the Joint Chiefs of Staff] and Westmoreland agreed that it was also a good time to urge a bolder Vietnam strategy, with more troops to gain quicker results: i.e., forays into Laos, Cambodia, and possibly that part of North Vietnam just above the DMZ." But Braestrup nevertheless objects, on the grounds that escalation "was hardly a tempting prospect for Johnson" (his emphasis). Again, a significant difference. He further misrepresents Frankel's report by claiming that he had suggested "that escalation—notably a reserve call-up—was probable." A check of the original (which Braestrup cites only in part) reveals that this "suggestion" appears nowhere in Frankel's article, which is noteworthy only for its standard reiteration of government propaganda about the goal of bringing "security" to "the people of South Vietnam."

### A Foe Without Flaws?

After TV, *Newsweek* was the worst offender. According to Braestrup, "*Newsweek*, throughout the February-March 1968 period, was to refer, in passing, to the 'wily' Giap, 'tough' North Vietnamese regulars, 'ominous' enemy activity, and, in general, to a foe without setbacks or flaws." But as Braestrup himself points out, on March 11, *Newsweek* presented an analysis in which it noted that the communists "were still plagued by the confusion that is characteristic of all military operations," including "inexplicable" failure to blow up a

crucial bridge, failure to use main forces adequately to maintain momentum, misassessment of popular moods and U.S.-Saigon tactics, and inadequate preparation of troops. "The communists," *Newsweek* wrote, "did not achieve most of their objectives." The following week's article on Khe Sanh reports a Marine view that "Charlie missed his golden opportunity" by bad tactics. *Newsweek's* picture of "a foe without setbacks or flaws" is another Braestrup exclusive.

As for the reference to the "wily" Giap, compare *Newsweek* with what Braestrup regards as the outstanding analysis by Douglas Pike (which he falsely claims was "ignored"), who describes Giap as a "master tactician," and "one of the best tactical commanders of the 20th century." On the "toughness" of the North Vietnamese and their "ominous" activity, see the regular comments of the U.S. military.

Braestrup claims, "There were few hints in [*The New York Times*] analyses or battlefield reporting that the foe was anything but shrewd, tenacious, ascetic, infallible, and menacing, and in this the paper had plenty of company." But, again, Braestrup provides example after example to the contrary: press reports that the VC "undoubtedly" alienated the population as they caused "indiscriminate slaughter" and "totally misjudged the mood of the South Vietnamese"; that they may be suffering "a severe manpower problem" and "hurting badly"; that captured VC got lost in Saigon and were falsely told that they would be welcomed; that half the enemy force was unaware of a general strategic goal. All in all, hardly the picture of an "infallible" enemy.

The press was not perfect, however. As Braestrup notes, "Newsmen in Vietnam neglected the obvious flaws in U.S. command performance at Tet," one of many exam-

ples of a (not very surprising) tendency to believe the best of what the press clearly regarded as "its own side." If there was a systematic departure from objectivity in this regard, it seems, judging by Braestrup's evidence, to be the opposite of what he claims.

These are typical examples of the misrepresentations—ranging from outright falsehood to trivial misstatement—that litter the text. To understand their significance, it is necessary to realize the sheer pettiness of most of Braestrup's complaints. For example, CBS "snatched failure from the jaws of hard-won success" when John Laurence reported that, "The American flag flies on the Citadel wall, but there is no breeze to blow it..." (Braestrup's emphasis). A *Newsweek* reference to "tough North Vietnamese Army regulars" elicits a sardonic comment from Braestrup: "...all of them 'tough.' The Marines were just Marines." (*Newsweek* describes most of the Marines as "pretty tough customers," and AP refers to the "tough little Rangers" with no comment from Braestrup.)

When Braestrup turns to more general summaries, the gap between evidence and conclusion becomes a chasm. Consider these examples:

As time went on, the ruins of Hue, the refugees of Saigon, the wounded Marines at Khe Sanh were not only made to represent destruction and human suffering, but they were presented as symbolic evidence of a stunning "defeat" (variously implied or defined) for allied forces, and hence proof of failure of the Administration's conduct of the war in Vietnam.

The Americans, by their heavy use of firepower in a few cities, were implicitly depicted

as callously destroying all Vietnam... while the Vietcong's indiscriminate use of their own firepower, as well as the Hue killings, were largely overlooked.

At Tet, the press shouted that the patient was dying.

A comparison of these blanket claims with the evidence is instructive. We find, for example, that "MACV [U.S. Military Assistance Command, Vietnam] spokesmen in Saigon themselves contributed in February to a general journalistic perception that no logistic, organizational, or manpower limitations inhibited the NVA's capacity, even after the 'first wave,' to strike anywhere at will." Furthermore "most eyewitness combat reporting, rare and restricted as it was, showed up better in February than the MACV communiques or the communique rewrites in Saigon." In fact, the military briefings cited are similar to media commentary in basic content. Naturally, the media reports varied more widely in content and style, but characterizations of the sort cited above are remote from the evidence presented. If this is one of the great achievements of contemporary scholarship, as John Roche claims, then scholarship is in a bad way indeed.

### Illusion Of Scholarship

The impact of Braestrup's study undoubtedly comes from the impression of massive documentation. But, case by case, it falls apart. On pacification, Braestrup writes, "TV and radio commentators went far beyond the available information to imply the dramatic worst." His evidence includes a report by NBC's Howard Tuckner, who cited "U.S. intelligence officials" and "some U.S. officials in Vietnam" — correctly, as

Richard Swanson/Life



TV cameras roll during surprise attack on U.S. Embassy by Vietcong, January 31, 1968. Did the press overplay the offensive, or was it a serious setback? Below, General William Westmoreland, commander of U.S. forces in South Vietnam, briefs the press in Saigon.

Wide World



Braestrup concedes in a footnote, adding that these were the views of "CIA in Washington" and "disheartened junior CORDS officials in Vietnam." By Braestrup's journalistic standards, it is apparently improper to cite such sources. Another example of alleged distortion is an NBC "special" where correspondent Dean Brelis (elsewhere he attributes the same quote to Frank McGee) says that we don't know what is happening in the rural areas but "can only imagine" and that "the cities are no longer secure; perhaps they never were." Hardly remarkable.

Examples of what Braestrup calls "straw man journalism" abound. Thus, he concludes that "pacification, although hit hard, was not 'dead'... it was a mixed picture, but clearly neither a military nor a psychological 'disaster.'" In fact, the media regularly reported government views that pacification was hit hard, not dead; and with equal regularity described the offensive as a military defeat for the "enemy." Elsewhere he praises *Time* for reporting "that pacification, while 'set back,' was not 'dead'" — as though journalists were generally claiming that it was "dead," which is plainly false. This straw man journalism may impress careless readers, but it amounts to no argument.

Braestrup refers sarcastically to "insights into Vietnamese psychology," as when Morley Safer, watching Marines burning down huts in Cam Ne, concluded that a peasant whose home was burned would find it hard to believe "that we are on his side." How does Safer know? Perhaps the peasants enjoyed watching the flames. Not all such "psychoanalyzing" is derided, however: when General Westmoreland explains that "the people in the cities are largely indignant at the Vietcong for violating the sanctity of the Tet period and for their tactics which brought

about damage to the cities," or when he expounds on the peasant "state of mind," Braestrup has no comment.

Referring to the VC attack on the U.S. Embassy in Saigon, Braestrup states that "the embassy fight became the whole Tet offensive on TV and in the newspapers during that offensive's second day" (his emphasis). This is intended as an illustration of the incompetence of the media, but it is thoroughly refuted by his compilation of news stories in volume II.

Repeatedly, Braestrup also claims that the media were "vengeful" or bent on "retribution" in their skepticism about government claims. An alternative possibility is that they were realistic. He agrees, for example, that "Westmoreland was wrong in publicly underestimating (in November) the enemy," and cites many other false and misleading optimistic statements, such as Ambassador Komer's prediction of "steady progress in pacification" a week before the Tet offensive. Furthermore, Westmoreland's analyses were hardly persuasive during the offensive. Thus, he claimed that, "All 11 of the Vietnamese division commanders... commanded their units effectively," whereas, as a journalist learned, one "had gone into a state of shock during the Tet attacks." Or consider Westmoreland's claim that allegations about the inaccuracy of body counts were "one of the great distortions of the war"—they have at most "relatively small inaccuracies." His own generals had a rather different view. In General Douglas Kinnard's study, *The War Managers*, 61 percent of the generals responding to his questionnaire describe the body count as "often inflated" and only 26 percent as "within reason, accurate." Perhaps journalists had some reason for skepticism, apart from "vengefulness."

If we dismiss his misleading and erroneous commentary,

the documentary evidence that Braestrup has assembled supports a different conclusion: despite some skepticism with regard to U.S. government claims, the media generally adopted the state propaganda system without question as a basis for report and interpretation. Within this framework, professional standards in the narrower sense (accuracy, balance, fairness) were, in fact, often maintained.

### Massacring The Evidence

"All Vietnam, it appeared on film at home, was in flames or being battered into ruins, and all Vietnamese civilians were homeless refugees," Braestrup alleges in a typically fanciful summary of coverage. He adds that, "There were virtually no films shown or photographs published during this period of *undamaged* portions of Saigon, Hue, or other cities" (his emphasis). Just what this is supposed to prove, he does not say; presumably, that coverage was not balanced. One wonders how many films and photographs of peaceful English villages appeared the day that Coventry was bombed, to balance the picture.

Braestrup seeks the causes for the "exoneration of the Vietcong" for "killing non-combatants or causing the exodus of refugees," overlooking the fact that before seeking the cause for X it is necessary to show that X is true. In this case, it is not. The accounts he cites regularly emphasize Vietcong atrocities. In fact, he himself points out that "both *Time* and *Newsweek* put the onus on the Vietcong," as when *Newsweek* titled an article "The VC's Week of Terror," or described VC terror squads executing civilians in Saigon. *The Times* wrote that, "In one sense the Vietcong have been responsible for civilian deaths by launching the urban attacks," while AP, the *Post*,

NBC, and others reported the Vietcong were causing destruction, using civilians as shields, preventing civilians from fleeing attack, and murdering civilians, often on the basis of evidence that would elicit outrage from Braestrup if used to support accounts of American atrocities. In a typical misrepresentation, Braestrup claims that NBC "attributed Saigon's losses *solely* to an allied military decision to 'kill or maim some of the people' to protect the rest" (my emphasis), citing Howard Tuckner's statement that there was a decision "that in order to protect most of the... people, they had to kill or maim some of the people"—a statement that is radically different from Braestrup's paraphrase, and that is remarkable only for its standard reference to "protecting" the victims.

The character of this scholarly study is revealed clearly as soon as a difficult and controversial question is faced. Consider, for example, the Hue massacre. There has been considerable debate as to the facts. The U.S. government position is that thousands of people were brutally massacred by the communists and buried in mass graves. Others have given a rather different interpretation. For example, the well-known British photographer and journalist Philip Jones Griffiths, who produced a memorable visual and verbal record of the fighting and its effects in Hue and elsewhere, concluded that most of the victims in Hue "were killed by the most hysterical use of American firepower ever seen" and then designated "as the victims of a Communist massacre." How does Braestrup deal with the massacre? Very simply, by assuming without discussion that the government position is correct, relying on "Douglas Pike, who investigated the scene for the U.S. Mission," elsewhere designated as "the independent-minded USIA specialist on

the Vietcong." He remarks in a footnote that "Pike's account was challenged by D. Gareth Porter, a Cornell University graduate student, admirer of the National Liberation Front, and, briefly, a Saigon resident," but dismisses alternative accounts as "a minor point of political contention." We learn nothing from Braestrup's 700 page work of scholarship about the evidence and argument bearing on the Hue massacre.

Braestrup incidentally cites an interesting early report from Hue by AP's John Lengel, in which he comments on the devastation and says that seasoned observers "see as the greatest hope a massive and instant program of restoration underlined by a careful psychological warfare program pinning the blame on the communists"—a remark that would have aroused some interest in a reporter who really did have some of that useful skepticism that Braestrup feels he shares.

I do not mean to suggest that Braestrup's criticisms are always wide of the mark. Braestrup is correct in pointing out that U.S. correspondents made little effort to see the war from the Vietnamese point of view, and he would be even more correct if he were to include "the enemy" among the Vietnamese. There was, after all, substantial material on the "enemy" and the basis for their success; for example, the outstanding work of Jeffrey Race, or the Rand motivation and morale studies. Newsmen were rarely interested. Similarly, the impact of the war on the Vietnamese received wholly inadequate attention. It was *The New Yorker's* Jonathan Schell, not a regular war correspondent, who revealed what was happening to the population of the northern areas of South Vietnam subjected to Westmoreland's killing machine. Braestrup notes this fact, but fails to draw the obvious conclusion. Later, Kevin Buckley of *Newsweek*



did an important study of Speedy Express, one of those post-Tet "pacification" operations that laid the basis for "Vietnamization," which Braestrup overlooks in his inadequate and misleading comments about the post-Tet period. Some of the reasons for press inattention to the plight of the Vietnamese victims of the American war are described by Philip Knightley, who reports that the American press simply refused to publish material on the subject—another topic that is a prime candidate for exclusion from a Freedom House inquiry.

## Inquest

As I noted earlier, while Braestrup condemns the media for excessive "pessimism," he does not evaluate their assessments systematically against the internal record of intelligence and other government sources. To comprehend fully the nature of Braestrup's charges, we may imagine how the inquiry urged by John Roche might proceed. Just how widely should it cast its net? Who else is implicated in the terrible misdeeds that Braestrup has chronicled?

Assistant Secretary of State for Far Eastern Affairs William Bundy must surely be placed on the docket, given his extreme pessimism. As Braestrup reports, he thought that the Tet offensive was "shattering to the South." He based his conclusions not on the press, but on "reports from people in the field out in Vietnam," so presumably they, too, are implicated. Similarly, Lyndon Johnson is guilty, since he seemed "to some degree 'psychologically defeated' by the threat to Khe Sanh and the onslaught on the cities of Vietnam," Braestrup concludes. Also Ambassador Bunker, who reported that the offensive had "disrupted the pacification effort for the time being," and the Deputy Pacification Advisor for Tuy Phuoc District, who said in a

TV interview that, "for most of the District, pacification does not exist" and confessed that he was "discouraged."

The inquiry must also extend to General Westmoreland. Braestrup is much incensed by media coverage of the VC attack on the U.S. Embassy which, he claims, exaggerated its success by claiming that the embassy had been entered. But he cites the 716th MP Battalion's message log, which reads: "General Westmoreland calls; orders first priority effort to recapture U.S. Embassy." And it must also include the MP captain who reported that the MPs were taking fire from inside the embassy. It is interesting, incidentally, to read of Braestrup's outrage over quite accurate press reporting of what was said by Westmoreland, military police involved in the fight, and others; and in particular over the fact that the press did not simply rely on Westmoreland's later account (his "recapture" order went beyond any reporter's error that Braestrup cites). A careful reading shows that reports were surprisingly accurate, given the confusion of the moment, though one cannot fault Braestrup's conclusion that "first reports are always partly wrong," which will come as a great surprise to newsmen.

Further candidates for investigation appear in the *Pentagon Papers*. For example, General Wheeler, who summarized the situation in the following terms to the President on February 27: "The enemy is operating with relative freedom in the countryside, probably recruiting heavily and no doubt infiltrating NVA units and personnel. His recovery is likely to be rapid. . . ARVN is now in a defensive posture around towns and cities and there is concern about how well they will bear up under sustained pressure. . . In short, it was a very near thing. . . To a large extent the VC now control the countryside. . . ." The media

reports that Braestrup derides were rarely more "pessimistic" than the Chairman of the Joint Chiefs of Staff.

The CIA must also be investigated for contributing to the decline of "free institutions" by its pessimism. A CIA paper of March 1 was deeply pessimistic, expressing grave doubts about the Saigon government and army and predicting that they might cease "effective functioning in parts of the country" so that "virtually the entire burden of the war would fall on U.S. forces." Like Cronkite, they expected "no better than a standoff" in the coming ten months. Pentagon Systems Analysis concluded that the offensive "appears to have killed the [pacification] program once and for all" (compare the straw man journalism cited above), and estimated that "our control of the countryside and the defense of the urban areas is now at pre-August 1965 levels" (when, it will be recalled, the war was being lost, according to Westmoreland). It was because of this serious situation, not perceived American successes, as Braestrup intimates, that they recommended what was later called "Vietnamization." The civilian analysts in the Pentagon must be charged not only with undue pessimism, but also with some of the other crimes of the press; for example, they referred to the famous statement that we are destroying South Vietnam in order to save it, a practice that is the target of much curious Braestrup criticism. We must also include Colonel Herbert Schandler, on whom Braestrup relies for his account of the Wheeler-Westmoreland request for additional troops. He was, Braestrup says, the anonymous author of the *Pentagon Papers* section on this material, and he described as "a startlingly accurate account" an article by Neil Sheehan and Hedrick Smith that Braestrup claims, in one of his more inept discussions, was a major exam-

ple of "distorted and incomplete" reporting. The authors of the "Epilogue" to the *Pentagon Papers* must also be included, surely, given their pessimistic assessment of "the price for military victory" and the "illusory" nature of claimed progress.

The category of people who were *not* threatening "free institutions" by the standards of Freedom House is small, indeed, a fact that some may find suggestive.

Returning finally to our two questions, we have two answers: (1) Braestrup does not prove his case against the alleged journalistic misdeeds, as is evident when his claims are compared with his data; (2) if a competent study could show his conclusion to be true, it would be at best a secondary issue, of little moment to anyone who does not regard the doctrines of state propaganda as beyond challenge.

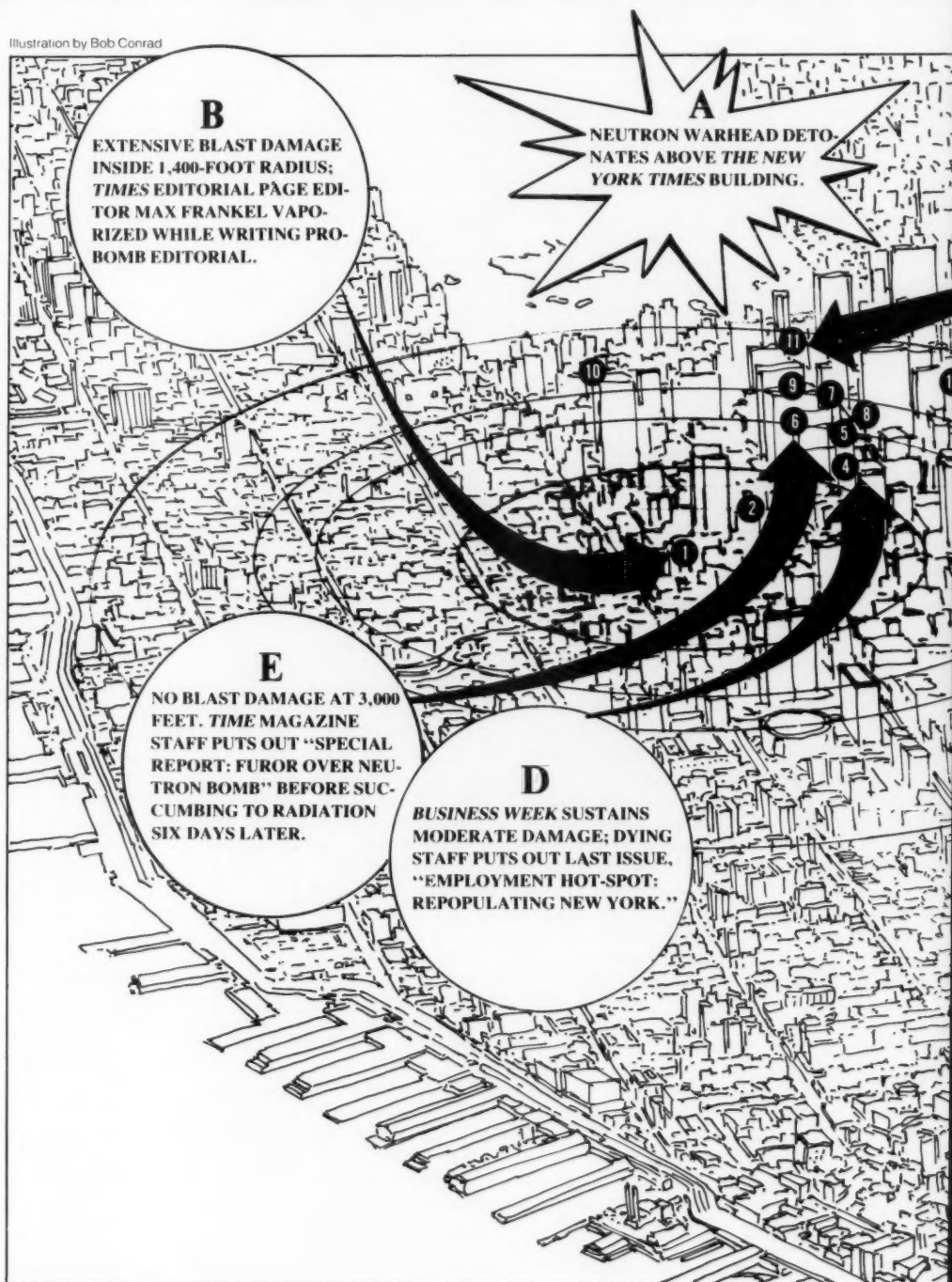
The performance of the media in Vietnam is a fit subject for inquiry. However, an inquiry that even pretends to be serious will not accept the framework of state propaganda as unchallengeable dogma, but will subject it to analysis—and more important, will ask how the media subjected it to analysis, or failed to do so, merely adopting this framework in reporting and commentary. Studies such as this, even if competently done, would merely divert attention from the serious issues concerning the media and the government. Such narrowly limited studies, if taken seriously, in themselves constitute a threat to free institutions insofar as they tend to insinuate the premises on which they are based, specifically, the crucial tacit commitment to the sanctity of the doctrines of the state. This is a question that requires serious thought. Its significance lies far beyond the series of errors and misrepresentations that undermine Braestrup's effort to demonstrate the defects of "crisis journalism." ■

# LEARNING TO LOVE

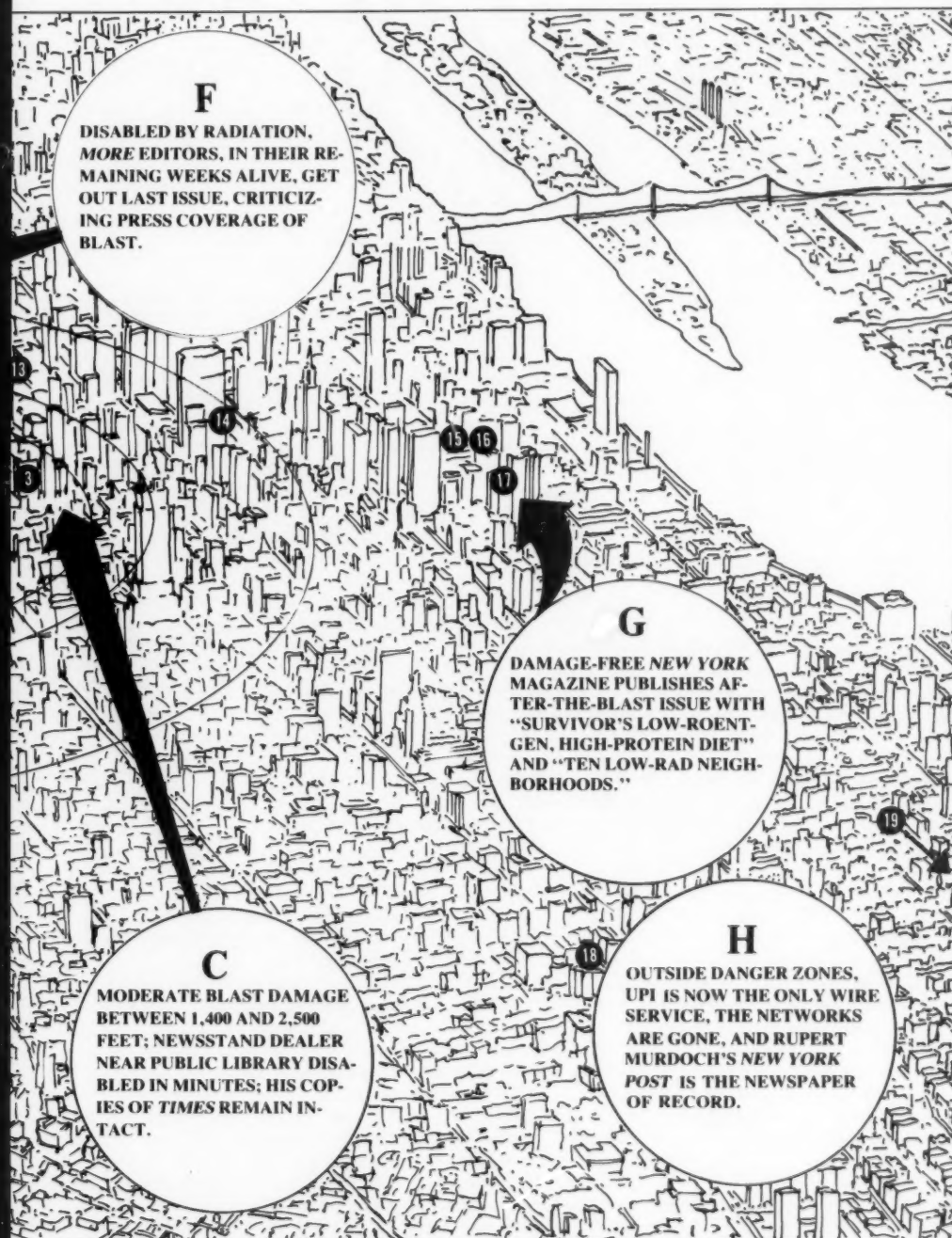
"Is the neutron weapon really more terrible than other nuclear weapons?" asked *New York Times* editorials in March and April. "No," it replied in one of them ("The Virtues of the Neutron Bomb"). Its blast is "modest"; its radiation "circumscribed and short-lived." Besides, said the paper, nailing down its case, "Neutron weapons are a good bargaining chip" and, anyway, they will only be used in Europe.

Since talk is cheap ("the number of persons who would be left to die slowly would be no greater than similar casualties from other nuclear weapons"), we decided to give the *Times* a good dose of its own deterrent—by dropping a bomb on the newspaper of record.

Illustration by Bob Conrad



# THE NEUTRON BOMB



- 1 The New York Times
- 2 Variety
- 3 New Yorker
- 4 Business Week
- 5 NBC
- 6 Time
- 7 CBS
- 8 AP
- 9 ABC
- 10 Cosmopolitan
- 11 MORE
- 12 Esquire
- 13 Newsweek
- 14 MS.
- 15 UPI
- 16 New York Daily News
- 17 New York magazine
- 18 The Village Voice
- 19 New York Post

(Damage estimates are in line with the best available Pentagon data.)



# COVERING THE CANAL OR, HOW THE PRESS MISSED THE BOAT

## Media Neither Shaped Nor Informed Public Opinion On Panama Treaties

### Is Omar Torrijos really a tinhorn dictator?

BY WALTER LAFEBER

It was to be a great debate on the nation's post-Vietnam, post-imperial foreign policy. As Jimmy Carter said February 1 on national television, the debate over the Panama Canal treaties would symbolize our maturity as a great power.

But the debate did not turn out that way, for the media neither shaped nor fully informed public opinion. When it attempted to influence the Senate—as when the *Omaha World-Herald* tried to help Senator Edward Zorinsky and ended up fighting with him instead—the press proved uninfluential. When both pro- and anti-treaty forces used the media to shape opinion, the public—according to the polls—hardly responded. When the media focused on the Senate debate itself, the larger foreign policy questions were lost among stories stressing Washington personalities.

And perhaps of most importance, the media failed dismally to tell us about Panama. We did not learn enough about why the Panamanians had pushed for years to obtain these treaties—and with them their *de jure* independence from U.S. colonial control. We emerged from the debate nearly as ignorant of Panama's military government as when we began.

It was widely assumed at the start that the media would be crucial, perhaps decisive, in the great debate. Those who favored or opposed the treaties moved quickly and with damn-the-cost deliberateness to shape opinion through television, radio, and the press.

Two organizations alone, the American Conservative Union and the Conservative Caucus, raised \$2.5 million by early 1978 to sponsor anti-treaty advertising in all 50 states. They sent three Congressional "truth squads" into states of wavering Senators, and produced a half-hour film, *There Is No Panama Canal . . . There Is An American Canal At Panama*, which was televised in more than 48 states. For its part, the Carter administration sent officials to over 700 meetings and encouraged such support groups as the Committee of Americans for the Canal Treaties, which advertised nation-wide and targeted 15 states in which Senators were fence-straddling. Hamilton Jordan, who directed the White House campaign for the treaties, phrased the policy in down-home language:

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"Some of those bastards [in the Senate] don't have the spine not to vote their mail. If you change their mail, you change their mind."

The media, especially the press, was hardly dispassionate about the issue. Scripps League Newspapers of San Mateo, California, bought the back cover of the March 4, 1978, *Editor and Publisher*, headed the page "VOTE NO," and warned that the treaties "would tighten the noose by which the enemies of Freedom hope to strangle our nation." E.W. Scripps, the company's president, even proposed his own treaty amendment, introduced by Senator Orrin G. Hatch, which sought to guarantee a free press in Panama. But the Senate voted it down.

The Associated Press revealed in early February, just as the Senate debate began, that 44 of the nation's largest papers favored the treaties, only three opposed them, and three took no position. But a broader survey by the National Newspaper Association's *Publisher's Auxiliary* showed that 53 percent of the papers had opposed the treaties editorially, 23.5 percent had supported the pacts, and the same percent had taken no position. *Publisher's Auxiliary* published the results, ironically, the day before the Senate ratified the second treaty.

That chronology reveals much. For both participants in the debate and those who reported it made two fundamental, and false, assumptions: first, that a sizable majority of Americans opposed future Panamanian operation of the canal; and second, that when the public received enough information through the media or mail it would (according to the foes) decisively turn against the treaties or (according to administration supporters) decisively support the pacts.

### The Phantom Turnabout

The first assumption should have been widely questioned after an analysis by Professor William Schneider of Harvard appeared in *The Washington Post* on February 12. Schneider noted that polls taken six months before had shown that Americans opposed the treaties by as much as ten to one, while surveys in late January revealed a small majority actually favoring them by then. This shift, however, was illusory. Schneider observed that most of the early polls (particularly those conducted by NBC with AP) had simply asked whether the canal should be turned over to Panama. As early as October, however, CBS-New York Times polls had also asked

Illustration by Tracy Garner



whether the treaties were acceptable if they "provided that the United States could always send in troops to keep the canal open to ships of all nations." Offered this opportunity, instead of opposing the treaties, respondents favored them 63 to 24 percent. Those surveyed, in other words, supported the treaties well before the pros and antis began pumping up their media campaigns.

Some of the media understood this. On the *NBC Nightly News* of January 13, Tom Pettit noted that although "most Americans" still opposed the "treaties as they now stand," 65 percent would approve ratification if the United States received the right to intervene militarily in emergencies. The next day an AP piece also emphasized the importance of American defense rights in determining poll results.

Other observers, however, missed the story. On January 30, the Senate Foreign Relations Committee reported the treaties to the floor by a smashing 14 to 1 vote, a margin made possible by the Senate leadership's plan to amend the treaties on the floor so the United States would have precisely what the polls had long shown most Americans wanted: the right of military intervention to keep the canal open and the right of U.S. ships to move to the head of the line in emergencies. *The New York Times* of February 1 even ignored the results of its own

poll by reporting that "the treaties have yet to win the approval of a majority of Americans," although a "change in opinion since last summer has created a political climate" more favorable to ratification.

The White House profited handsomely from such early reports. The *New York Times* story used administration sources to detail how the President's efforts had supposedly reduced the 87 percent opposed in May 1977 to only 55 percent in early 1978. The figures were those of a White House pollster, Patrick Caddell, and the *Times* did not question them. Readers not able to keep up with the public opinion shell game must have been impressed with the power of the President and pro-treaty pressure groups to sway feelings on the agreements. As *Times* wrote on March 27, the "turnabout" in the polls was an accomplishment "for which the Administration can claim substantial credit."

In reality, there was no turnabout. The press simply never consistently understood that a majority of Americans favored treaties that included the two amendments sponsored by the Senate leaders, Democrat Robert Byrd of West Virginia and Republican Howard Baker of Tennessee.

Once they were in place, Senators and the public rallied around. Overlooked in the stories on final ratification was the first roll-call vote, taken on February 22 on a procedural issue. The leadership won that contest 67 to 30, with almost exactly the same names on each side that would appear two months later in the final ratification vote.

Treaty opponents understood neither the effectiveness of the leadership amendments nor the ineffectiveness of propagandizing through the media. They kept appealing to a hypothetical anti-treaty majority in areas where such a majority did not exist and could not be created. In a *National Journal* interview of October 8, 1977, Richard A. Viguerie predicted that "the conservatives will prevail on this." The statement deserved attention, for Viguerie has been performing feats of near-magic for years by using sophisticated direct mail and media campaigns to raise millions of dollars for right-wing causes. His target now was the great hinterland, especially the Midwest. "Our strength is in Peoria and Oshkosh and White River Falls. And that's where we're going," Viguerie explained. Syndicated, conservative columnist (and former Nixon speechwriter) Patrick J. Buchanan made the same point in the January 1978 *Conservative Digest*: "The treaty would sweep Georgetown almost without a dissenting vote";

but "in the nation the reverse is more nearly so." On April 3, however, a Louis Harris survey revealed that after nearly six months of anti-treaty blitzing by Viguerie and his conservative colleagues, the pacts received their greatest support not in the East and its Georgetown, but in the Midwest and its Peorias, where approval of the second treaty—which actually turned the canal over to Panama—was running 46 to 37 percent.

In that Midwest, the *Cincinnati Enquirer* opposed the second treaty and should have hoped that the ACU campaign would sway area Senators, particularly after the "truth squad" targeted the three-state area around Cincinnati for special attention. But as early as February 9, the paper's Washington bureau chief, Warren D. Wheat, wrote that despite all the energy that was to be expended, five of the six Senators from Ohio, Indiana, and Kentucky would probably not change their minds. On March 22, an *Enquirer* editorial observed that, "Many Senators appear to have immunized themselves to public opinion on the subject." And after the debate was over on April 19, Wheat noted that of the six Senators, only Democrat Wendell Ford of Kentucky, who opposed the treaties, had made up his mind after the debate began.

In his October interview, Viguerie said, "It's an issue the conservatives can't lose on." That, in the end, was debatable. But Viguerie certainly did not lose. He profited by selling his mailing lists to anti-treaty organizations, and then expanded his own list by adding the names of those who responded to the conservatives' television and direct mail appeals with more than \$1.4 million. His expanded lists can, in turn, be sold to conservatives running for office this autumn or in 1980.

Viguerie's profits, however, comprised one of the few conservative accomplishments.

During the week before the first treaty vote, according to AP, the anti-pact forces spent nearly \$30,000 for 30-second radio commercials targeted on the home states of six supposedly undecided Senators: Sam Nunn and Herman Talmadge of Georgia, Edward Brooke of Massachusetts, Paul Hatfield of Montana, Dennis DeConcini of Arizona, and Edward Zorinsky of Nebraska. But five of the six voted for the treaties, and the lone exception, Zorinsky, actually went *against* a carefully polled plurality of his constituents when he opposed ratification.

### A Case In Point

The Zorinsky episode provides a telling insight into how the press tried and failed to shape a crucial Senate vote. Nebraska's Zorinsky is a first-term Democratic Senator hailing from a conservative state. Polls in August 1977 had shown his constituents opposing the unamended treaties 64 to 22 percent. By December, however, only 52 percent opposed the pacts and, while support for them had remained steady at 22 percent, 25 percent of those polled were now undecided, almost double the August figure.

On February 10, Zorinsky suddenly announced that he was accepting an Omaha *World-Herald* offer to sponsor a new survey of Nebraskan sentiment. He also announced that, although he personally favored the treaties, he had informed President Carter that his vote would be determined by the poll results. The Senator also told the President that he might vote for ratification even if the survey showed a 52 to 48 percent margin against the pacts.

Zorinsky was sadly mistaken if he believed the poll might take him off the hook. Two other Nebraska newspapers, like the *World-Herald* pro-treaty, assailed the survey. The *Lincoln Star*, which had supported him in 1976,

called the idea "misguided and gutless." The weekly *Sun* newspapers accused him of "abdicated his responsibility." The Senator said he wanted "controversy," and he was getting it.

His supposedly neutral, even pro-treaty, position, moreover, came into question on that first key procedural vote on February 22, when he voted with 29 anti-treaty conservatives. On the day of the vote, Zorinsky also announced that the *World-Herald* poll would not determine his final judgment. The *Sun* newspapers phoned him to clear up the discrepancy and were told that the original *World-Herald* report—that he would consider the poll determining—was "inaccurate." The next day he called the *Sun* newspapers to say that the original *World-Herald* story had not been inaccurate after all, but that the poll would not be "the only determination." By March 7, the *World-Herald* reported Zorinsky's announcement that, "In no way will the outcome of the poll commit my vote."

And none too soon. Five days later, the poll results revealed that Nebraskans almost mirrored national sentiment. Asked how they felt about the treaties with the two leadership amendments attached, 45 percent favored them, 40 percent were opposed, and 15 percent had no opinion. The next day the *World-Herald* reported that Zorinsky now said he was "leaning against" ratification, and a day later published a strong editorial endorsing the amended treaties and warning that rejection could result in "sabotage, terrorism, and guerrilla warfare" around the canal.

Zorinsky voted against ratification of both treaties. "I've known how I was going to vote for some time," he commented after the vote on the first treaty, and added that the opinion survey had not weighed heavily in his vote.

With both its editorial pleas

and public opinion polls ignored by Zorinsky, the *World-Herald* observed that it had taken "considerable courage" for the Senator to vote against the President of his own party. But Carter "didn't need Zorinsky after all," the paper dryly observed, and "we should assume that the administration now will find other occasions on which it will not need Zorinsky."

With the best intentions, the *World-Herald* had attempted to inform, shape, and measure Nebraskan opinion. The paper certainly measured, and probably informed, that opinion, but it is doubtful that the *World-Herald* (or other state newspapers) created the pro-treaty plurality that appeared in its poll. In the end, however, it made little difference. Zorinsky voted against ratification despite the poll and the newspapers' pleas. The press played a large role in the Nebraska debate, that is, but in the end the only tangible result was bitterness between the *World-Herald* and the Senator it had tried to help.

### A Media Consensus

Zorinsky may not have emerged from the fight with an enhanced reputation, but Jimmy Carter did, at least according to some early post-ratification commentary. As the Senate moved toward the voting, however, the media had split significantly in deciding whether Carter would deserve the victor's trophy should the treaties pass, many viewing the outcome as the accomplishment not of Presidential but Senatorial leadership. Ratification, in fact, would not have occurred without the Baker and Byrd amendments that clarified treaty provisions in a way acceptable to both Carter and Torrijos.

The media did not emphasize the importance of the Baker and Byrd amendments until the Senate debate was about to begin. When Baker



UPI



Panama's General Omar Torrijos (center) meets with Senate treaty opponents Robert Dole (left) and Paul Laxalt in Panama City. When the politicians went home, so did the press.

flew to Panama in January to negotiate with Torrijos, too few editorials noted that a U.S. Senator, and a Republican at that, was dealing with a foreign government as if he were Secretary of State. Nor did editorials stress, as they should have, that forcing Panama to negotiate with a Tennessee Senator was a diplomatic insult. And when the media finally took note of the Baker initiative, it did so in terms that referred less to Panama than to U.S.-U.S.S.R. relations. Papers such as *The Wall Street Journal*, which usually criticized Carter's policies, argued for the treaties and congratulated Byrd and Baker for amending the agreements so they could no longer be construed "as a blank check for a policy of withdrawal."

The conservatives now launched a media campaign to place massive public pressure on Baker. The "truth squad" understood that Baker was vulnerable, particularly since the Tennessean hoped to capture his party's nomination in 1980. "We are going to make

it awful hot for Baker," Vi-guerie warned. The American Conservative Union placed an ad directed at the Senator in the *Nashville Banner* that generated 3600 pieces of mail in the first week, according to the ACU. The organization also chose Tennessee as one of the 18 states in which its "documentary" was televised in January. But Baker refused to budge. With the Baker and Byrd amendments attached, polls and Senate head-counts showed the treaties rapidly picking up support.

In retrospect, Adam Clymer's remark in the February 12 *New York Times* seems both accurate and representative of how the media viewed the contest between Carter and the Senate leadership. The Senators' "main concern is not Mr. Carter," he wrote, "but Robert C. Byrd and Howard H. Baker. . . . No Senator feels deeply obligated to the President, but many owe the [two] leaders favors, or would like to be owed one. Leadership prestige is on the line as much as anything else." In other words, the de-

bate was being viewed less as a substantive foreign policy issue, and increasingly as a personal contest between Carter, Baker, and Byrd.

The press left the impression that in that contest, Baker and Byrd deserved as much and probably more credit for ratification than Carter. It further believed, as Loye Miller Jr. reported for Gannett News Service, that Carter's victory "can hardly be underestimated," and that the President "probably is not much taller" because he won; "it's just that he stands taller . . . than he would have had the treaties failed." Moreover, Miller added, Panama "pales in significance besides such cosmic affairs as SALT . . . oil, or . . . the Middle East."

This became a dominant theme in the post-ratification analyses. It both reduced the magnitude of Carter's victory and implied that his bargaining power had not significantly increased as he prepared for upcoming foreign policy battles. Influential pro-treaty conservatives such as William Buckley, George Will, and

*The Wall Street Journal* argued, in Will's exaggerated phrase, that "It never was likely that those treaties would be rejected," but a SALT treaty would be wholly different. Liberal, pro-pact voices, such as *The New Republic* and columnist Joseph Kraft, agreed. Comparing Panama and SALT, Kraft wrote, "is not a matter of apples and oranges; it's more like grapefruit and peanut butter." Carter had dealt with Torrijos, in other words, but he had yet to master Brezhnev.

### Reporting A 'Reservation'

The President committed a major tactical error in the final hours before the first treaty vote, when he accepted the demand of Arizona Democrat Dennis DeConcini that a "condition" be attached to the treaty giving the United States the right to take unilateral military action "in Panama" if the canal were to be closed after it reverted to that country in 2000. The provision led to a violent outburst

in Panama and threatened the chances of the second treaty, but much of the media—like the White House itself—did not understand what was happening until it was almost too late.

Since the wording was being changed constantly during the several days before the vote, the DeConcini proposal was noted but never analyzed publicly. On the day of the vote, the *Chicago Tribune's* front page story did not mention the provision. In its Sunday summary of March 19, *The New York Times* noted the "reservation" in very general terms at the end of the story and concluded that "the odds are" the Panamanians would decide "getting the canal is worth the American changes." *Time's* March 27 story observed only that the DeConcini proposal offered "an affront to Panamanian national pride" but, like the other stories, it did not analyze how this proposal differed substantively from the leadership amendments which Baker had cleared with Torrijos.

Rumblings then began to be heard from Panama. The *Miami Herald* and *The Washington Post*, the two papers that best covered internal Panamanian affairs, revealed that a massive anti-DeConcini movement was forming, threatening both Torrijos's power and the treaties. The reports had little effect on the Senate debate until April 7 and 8, when Senators learned from newspaper accounts—not, initially, from the White House—that Torrijos had sent a letter to 115 heads of state protesting the DeConcini provision. Pro-treaty Senators, according to one staff member, turned "mad as hell" about the way the story reached them, as well as about the Panamanian's rhetoric. By April 10, the media agreed that, in AP's words, Carter was "teetering on the brink of a foreign policy calamity."

During the next week, however, stories focused not on Carter, but on the Senate

leadership. The reports left the impression that the President—who had negotiated the original wording with DeConcini while Byrd and Baker stayed a safe distance from such inflammable material—had now been told by Senate Democratic leaders, as an AP story on April 13 put it, to "take a secondary role." In the end, suitable compromise language was found, the second treaty passed, and, almost without exception, the media interpreted the compromise as a triumph for Byrd and Senator Frank Church, who worked out the final wording with Panama's Ambassador, Gabriel Lewis.

Overall, the media initially missed the significance of DeConcini's proposal. Only when a few reporters saw the response in Panama, and only after news of Torrijos's letter broke, did the press understand what had happened. Even then, confusion followed. On April 16, John Caldwell detailed in the *Cincinnati Enquirer* how AP stories called DeConcini's proposal an "amendment"; *The New York Times* termed it a "reservation"; and in a television interview, DeConcini himself called it a reservation, amendment, and understanding without the interviewer pinning him down. The difference was crucial, for an "amendment" carried legal obligations that did not burden "reservations" or "understandings." When Caldwell called the Senate parliamentarian to check the exact language, he learned it was properly called a "condition," which legally resembles a "reservation."

Two days before the final treaty vote, Marlise Simons, reporting for *The Washington Post* from Panama, asked Canal Zone officials what difference it would make if the United States intervened after 2000 to keep the canal open pursuant to the DeConcini condition. None, she quoted one officer as replying, since the U.S. military is "neither

trained nor equipped to operate the canal." Simons observed that if this assessment were accurate, the "Senate debate over the U.S. right to use armed forces to keep the canal open would appear to some observers here as an idle exercise." No one else had thought to ask such a question, and that simple originality, as well as her knowledge of Panamanian politics, made Simons's reports invaluable.

## Unfiled News Hole

Except for her analyses, a story in *Time* outlining Panama's economic problems, and a few AP stories seldom picked up, most of the coverage of Panama's economic and political complexities, its military government, its views of the debate, and its almost total dependence on the United States, was pathetic.

As the debate began in Washington, treaty opponents were widely quoted as calling Torrijos a "tin-horn dictator." By the end, both sides believed he would not submit the amended pacts to his people because they would repudiate his diplomatic handiwork. As *The Washington Post* editorialized as early as February 1, "Some pro-treaty Americans privately wish he were a dictator!" The *Post's* words, however, also misled. For Torrijos is a dictator and could, if he wished, rule with an iron hand. He has done so in the past. But Panama's unique history, and the conditions under which Torrijos came to power and must rule, make him a special kind of dictator, one that bears little resemblance to the Mussolini or Trujillo stereotypes Americans use as references.

For two months, the debates were broadcast by National Public Radio to Panama, where the people heard their country insulted and their "Maximum Leader" ridiculed on the Senate floor. They listened as a severe economic crisis wracked the nation and political parties mo-

bilized for the first time in a decade to oppose Torrijos. But even the most attentive Americans could gain little understanding of what was happening. When the largest anti-Torrijos rally in years occurred in Colon in mid-February, *The New York Times* ran a nine-line story on page 21. Students rioted against both the amended treaties and Torrijos during the first week of April, but since the media had offered no insight into how and why the student movement was divided, or how the General's brutal National Guard army had long been a target for certain student organizations, we comprehended little except that some riots were occurring. No one could be found in the media to explain in any detail why certain student groups are the real political alternative to the army, and why, therefore, the United States is doing everything possible to ensure that the National Guard does not falter.

The UPI did try to explore Torrijos's link to Panama's extensive drug traffic. White House press secretary Jody Powell immediately summoned two UPI reporters to demand that the story be withdrawn. Powell attacked the reporters' integrity, according to UPI's Cheryl Arvidson, and the four-hour meeting began with "two hours of shouting." UPI ran a substitute story on February 21 that repeated the original charges (including apparent White House attempts to keep Congressmen away from incriminating documents mentioning Torrijos), but it also included detailed rebuttals from Powell and noted that some of the original story's sources were questionable.

Torrijos's possible involvement in narcotics traffic probably received more attention than any other internal Panamanian issue, even though the question had little to do with the treaties themselves. Meanwhile, as many as 30,000 black Panamanians, disliked by their whiter countrymen

because they speak English and have been favored for canal jobs by the Americans, who originally brought them to Panama, face massive discrimination and perhaps deportation when the Panama City government gains control over the Canal Zone. With few exceptions (one was Bob Berkowitz's WRC radio report in Washington on January 28), no one explored this issue or explained how decades of racial discrimination by Americans in the zone helped create the problem.

Aside from Marlise Simons, ABC provided the best coverage of Panama itself. Bernard Shaw's on-the-spot economic analysis on April 17, for example, provided important background for the final Senate vote that occurred minutes later. During the next two days, Barbara Walters conducted interviews with Torrijos which most clearly revealed his bitterness with the way Americans insulted and

misunderstood Panama during the debate. Several pro-treaty Senators expressed surprise that Torrijos could be so angry. They had apparently learned as little about Panama as had the mass of Americans.

### Missing The Boat

In retrospect, it appears that the media's most important contribution was National Public Radio's broadcast of some 300 hours of debate from the Senate floor. The commentary by Linda Wertheimer was superb, and the packaging of highlights for evening programs exceptional.

It is ironic that the effect of these programs was more pronounced on Panamanian than on American public opinion. Ironic—but understandable, despite the efforts of Wertheimer, Simons, and a few others—including Fred Wiseman, whose epochal television documentary on the

Americans in the zone was the best in-depth report in the entire debate. We needed a Wiseman treatment of Panama itself, for we were given such a superficial treatment of that nation's history and politics that we never understood why the Panamanians rioted even after the Senate actually ratified the first treaty. If the press had been following Panama's own debate, and if we had been aware of and sensitive to long-held Panamanian (and Latin American) hatred for any phrases that implied a United States right to use force in other nations' internal affairs—and that is what the DeConcini condition said—the dangers of the provision would have been publicized long before April 7.

Instead of learning about the new limitation on American power in the post-Vietnam era, we were deluged with stories from the media that misinterpreted public opinion polls, focused on the

personal contest and unexceptional power struggle between the President and Senate leaders, and culminated in pious warnings that the treaties were not all that significant after all, since in negotiating them we had somehow not faced down the Russians.

The hoped-for great debate turned out to be neither great nor much of a public debate over the substance of foreign policy—and how a small nation like Panama could force us to change that policy. It was certainly no way to prepare ourselves for the debates and decisions ahead. ■

*Additional research for this article was provided by Professor David A. Haberman, chairman of the Department of Journalism and Mass Communication, Creighton University, Omaha; A. Mark Scheerer, news director of WEBN-FM, Cincinnati; and Barbara Demick, an editorial assistant at MORE.*



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# ANIMALS IN THE NEWS

ROUNDED UP BY RANDY COHEN

## Tel Aviv Zoo Puzzled By Collapse of Giraffe

TEL AVIV, March 27 (AP)—Nobody knows what's wrong with Shlomo, a giraffe at the Tel Aviv Zoo. He has collapsed and seems to be unable to get up. Unless his keepers get him back on his feet, he may die.

Moshe Avram, the zookeeper, said Shlomo's problems began Tuesday when he slipped and fell from a three-foot embankment in the area where he lives with his mate and two offspring.

"He got up and didn't show any signs of pain," Dr. Avram added. "Then something happened and on Sunday morning he fell again."

When Shlomo would not get up, workmen built a metal platform for a pulley and hung chains from it under his belly to try to raise him. It did not work.

Dr. Avram said the 8-year-old giraffe, which weighs one ton, is not resisting, and added, "He wants to help himself, but he's very tired."

## Giraffe Dies Before Mating

ERIE, Pa. (AP)—Erie schoolchildren worked for months to raise \$10,000 to purchase a mate for Gladys, a giraffe at the Erie Zoo. The male giraffe arrived and the bill was paid. But several months before the two animals could be mated, Gladys died of what zoo officials termed an acute seizure.

## Rabbits Raid Garden At Golden Gate Park

SAN FRANCISCO, March 11 (UPI)—Officials at the Golden Gate Park's Strybing Arboretum say that a pack of domesticated rabbits returned to the wild are eating their way through a prized collection of California native plants.

The rabbits apparently are runaways from a former children's petting zoo in the park that was closed a few years ago. They hide out in the Chinese Barberry bramble, raiding the gardens at night.

Jack Sigg, a gardener, said there may be as few as five rabbits, but John Bryan, the arboretum director, disagreed. "There may be many, many more," Mr. Bryan said. "They get under the bushes, and scurry like the devil. And they multiply fast."

Unsuccessful efforts to capture the rabbits have been underway for more than a year, but park officials are hesitant to start a campaign to kill them.

## Waiter Burned by Duck Sues

ALBUQUERQUE, N.M., May 31 (UPI)—A waiter who said that he had been burned by a flaming duck that exploded as he was preparing to serve it has filed a \$36,000 suit against the restaurant's owners. The waiter, Shun Hang Fung, named as defendants Stephanie and Migo Liu, owners of a local restaurant. He said that when he was holding a dish with the flaming duck, Mrs. Liu poured alcohol on it, and it exploded.

## Dog Taught by a Squirrel Has Permit to Climb Trees

SAN FRANCISCO (UPI) Jenny, a combination German shepherd and husky, has a permit to climb trees.

When Jenny was a puppy, she met a domesticated squirrel in Golden Gate Park. They played together and the squirrel taught Jenny to climb trees.

Now Jenny easily walks up branches as high as 40 feet off the ground.

When a policeman saw Jenny climbing trees in the park, he told Mr. Gebracht to get a permit, which was issued to her by the Park Department.

## Cat Is Favorite French Pet

PARIS, Jan. 10 (Reuters)—One in two French households has a pet, with cats the most popular, according to statistics published here. There are nine million cats, eight million dogs, eight million birds and five million fish, according to data prepared for a television program.

## Drunken Tanzania Elephants Run Amok in a Game Park

DAR ES SALAAM, Tanzania, Sept. 6 (Reuters)—Wild elephants have been gorging themselves on fermented fruit and going on drunken rampages through a Tanzanian game reservation, the game rangers say.

A report by the Government's National Parks Directorate said that elephants had gotten drunk in the Mikumi game park, about 150 miles west of here, after they ate a type of fruit that ferments on the branch.

According to the report, rangers saw them trumpeting, screaming, knocking down trees and chasing smaller animals.

## A DOG RETURNS HOME AFTER 4 YEARS AWAY

YOUNGSTOWN, Ohio (AP)—After missing more than four years, Satan, a combination of Irish setter and German shepherd, has come home to Mr. and Mrs. Kenneth Donatelli.

A neighbor spotted the dog loping along a neighborhood street and called Mrs. Donatelli. By the time the Donatellis went outside, however, the big black dog was nowhere to be seen. Mr. Donatelli called the dog's name for a while in vain, and went back into the house. But Mrs. Donatelli thought she'd give it one more try.

"C'mon, Satan, god boy," she called, and suddenly there he was, wagging and wagging.

The dog disappeared when he was on a hunting trip with his master.

Because of a choke chain Satan was wearing when he came home, the Donatellis believe he must have had another home somewhere.

## Missing Snake Back at Zoo

MIAMI, Dec. 6 (AP)—A seven-foot-long python, missing for more than a month, is back at the Crandon Park Zoo on Key Biscayne. Gary Cook said he was driving home Tuesday when he spotted the snake on the island's main road. Fearing that a car would run over the snake, he picked it up by the head and tossed it in his car trunk.

## Snake Guards Arcade

GAEVLE, Sweden, (Reuters)—A seven-foot boa constrictor has begun work as a night watchman at an amusement arcade here. When the arcade is closed, a sign warns of the snake.

## It Was 'Raining' Ducks

VALPARAISO, Neb. (AP)—Cats and dogs gave way to ducks here recently as the birds were reported "raining" from the sky. Ermin Benness and his two sons, deer hunting on their farm west of here, ended up with 13 slightly burned mallard ducks that fell almost at their feet after being hit by lightning in a storm.

## Bubbles the Hippo Remains at Large

IRVINE, Calif., March 4 (UPI)—Bubbles the hippopotamus got a reprieve today because heavy rains pounding Southern California forced park rangers to recapture her.

The two-ton fugitive animal, which escaped from Lion Country Safari park Feb. 19 by waddling through two fences, has been hiding out in a lake, since referred to as "Bubbles Bath," in the Lagunda Hills. It was the third escape for the 6-year-old hippo.

Park rangers had made plans yesterday to lace several airline cargo nets together, hit them with alfalfa and cabbage and haul Bubbles back home.

## 5 Baboons, One Reprieved, Face Death in Second Lab

ANN ARBOR, Mich., March 12 (UPI)—Five African baboons, whose lives were spared last month after citizens protested their use in auto crash tests, now face death in another University of Michigan laboratory.

Six of the animals won a reprieve on Feb. 2 when officials at the university's Highway Safety Research Institute agreed to stop using them in a study of crash injuries.

But the baboons have since been sent to the school's physiology department laboratory for use in a study of hypertension. One baboon has already been killed as part of a study and the remaining five are to be "terminated" in the next three weeks, a department spokesman said.

Richard L. Malvin, physiology professor and director of the experiment, said the study, financed by the National Science Foundation and the National Institutes of Health, was aimed at curbing high blood pressure by controlling levels of salt and water in the body.

## Circus Elephant Kills Caretaker

CHICAGO, March 12 (AP)—A three-ton Indian circus elephant killed a caretaker yesterday after throwing him with its trunk and kicking him into a pillar, witnesses said. Several dozen bystanders looked on in horror as the enraged elephant hurled David Farr, 35 years old, off her knee and kicked him. Other caretakers said Mr. Farr earlier had toyed with the elephant, putting his hand in her mouth and pushing her face. The elephant was one of five chained to the floor of a North Side armory for a circus at Medinah Temple.

## BOOKS

BULLETS  
FOR BRESLINBook On Son Of Sam  
Plays Havoc With Facts

Are TV rights more important than truth?

.44

By Jimmy Breslin and  
Dick Schaap  
The Viking Press  
323 pp., \$8.95

BY J. ANTHONY LUKAS

"Art," said Pablo Picasso, "is lies that tell the truth." In this fictionalization of last year's "Son of Sam" case, Jimmy Breslin and Dick Schaap would have us believe that they are following the master's maxim. "This is a novel," they write in their authors' note. "It is not factual. We hope it is truthful."

But truth is not their object; their principal concern here seems to be commerce. And the maxim embodied is not Picasso's, but a much older and sleazier one: "Fraud is lies purveyed as truth."

In recent years, we have seen a progressive blurring of the line between fact and fiction, the two genres churned together in the magic mixmaster of American culture to produce a bastard form some have dubbed "faction." There are a thousand different recipes for this concoction, depending on the ratio in which the ingredients are blended. Some authors season their documentaries with just a dash of spicy invention; others thicken the pale broth of

their melodramas with a few solid chunks of data from our recent past.

In *Roots*, an otherwise interesting work, Alex Haley couldn't resist a bit of "mythic history" to bridge over the gaps in his research. In *Closing Time*, billed as "the true story of the 'Goodbar' murder," Lacey Fosburgh inexplicably tainted an impressive job of investigation by simply inventing scenes and dialogue which she says it is "reasonable and fair to assume could have taken place, perhaps even did." But these are relatively potable potions.

On the frothy wake of Watergate has floated a more poisonous sub-genre—"Washington faction," purporting to give us the "inside story" of hanky-panky in our nation's capital. Unable to top the wiretapping, burglaries, and dirty tricks which covered our front pages for so long, these writers fall back on their fervid imaginations to titillate us with skulduggeries more rancid than even the Nixon White House could conceive.

The form held particular attraction for the malefactors themselves because it permitted them to excuse their own performance and point accusing fingers at others—without ever being held responsible for what they were saying. First, it was Spiro Agnew, cashing in on his own disrepute with a squalid novel about a vice president whose

chief failing was a runaway libido. Then John Ehrlichman proved himself a better novelist than he was a public servant with a skillfully crafted but deeply self-serving book which sought to shift the blame for recent perfidies from the White House to the CIA. And William Safire, a Nixon speechwriter turned Nixon apologist, chimed in with *Full Disclosure*, a novel which portrayed a President mercilessly hounded out of office by the jackals of the press and Congress.

But any literary form which permits maximum license and minimum accountability was bound to appeal as much to reporters as to felons. So Marvin Kalb of CBS and Ted Koppel of ABC produced *In the National Interest*, a novel about a "dynamic, brilliant, superstar Secretary of State." (Kalb had long been one of Henry Kissinger's most gullible camp followers, a loyalty which Kissinger repaid with a blurb for the novel.) Aaron Latham, understandably intrigued by the CIA's former counterintelligence chief, James Angleton, but unsure just how much of Angleton's material was high-level paranoia, resolved that dilemma in *Orchids for Mother* by transforming him into Francis Xavier Kimball, the key player in "the deadliest game of all, leading to illegal penetration of domestic government agencies, blackmail, murder. . . ."

But for faction, hardcover publishing is merely the teaser—a display case for goodies designed to entice offers for mass-market paperbacks, television mini-series, and Hollywood films. Above all, television—with its latest toy, the "docudrama"—offers the quintessential market for faction. Indeed, so perfectly matched are the two forms that they now exist in a state of sublime symbiosis—each feeding the other's disregard for truth, reliance on cheap melodrama, and ultimate contempt for its audience.

Which brings us back to Jimmy Breslin. For rarely has a book been conceived in such utter cynicism, such thoroughgoing disdain not only for its readers, but for the whole notion of journalism as a search for truth. Breslin and Schaap have taken the bare bones of the Son of Sam case and stuffed the carcass with a smarmy potpourri of kinky sex, pop psychology, and caricatures of their friends and enemies. This is faction revealed in its final putrefaction.

These are melancholy judgments to be rendering on Breslin, for once he was one of our most useful reporters. (I refer henceforth merely to Breslin, ignoring his co-author. Dick Schaap is an able journeyman, who has never risen to Breslin's heights nor descended to his depths. His contribution to .44 was no doubt substantial, but in conception and execution the book seems essentially Breslinesque.) In the sixties, Breslin stalked the cutting edge of social change in America, bringing to his work an energy, a feel for the experience of ordinary Americans, a passion rarely matched by his less original compatriots. Whether in Queens, Brooklyn, or Staten Island; Selma, Montgomery, or Harlem; Chicago, Saigon, or Dublin; he caught the vernacular of everyday language, the acrid bite of plebeian life.

But there was always another side to Breslin. As Jim Bellows and Richard Wald have written in *The World of Jimmy Breslin*, "He began to discover that Breslin was his most salable commodity." So he began to embroider that persona—the bars, the booze, the boasting, the vulgarity, the cigarette drooping from the curled lip, the suggestion that he spent his nights drinking with Mafia chieftains.

He peopled his landscape with a bizarre array of colorful characters—Fat Thomas, Marvin the Torch, and the like—straight out of Runyon

J. Anthony Lukas is an associate editor of MORE. He is currently writing a book about three families in Boston.





Illustration by Philip Burke

or Liebling. If they had ever existed, these figures no longer bore any resemblance to the originals. As time went by, Breslin relied more and more on such fabrications. As his self-inflated myth grew, he came to feel that he could get away with anything. And for years he did.

But in the summer of 1977, his cockiness caught up with him. When, a year earlier, a madman proclaiming himself "Son of Sam" began cutting down brown-haired young women across New York's outer boroughs, Breslin sensed this was his story. After all, it was his territory, the bleak reaches of the Bronx and Queens—inhabited by Italian truck drivers, Irish stevedores, and Jewish clerks—a great swatch of the metropolis which the wise asses from the *Times*, *Harper's*, and *The New York Review of Books* ignored, but where Breslin was king. Moreover,

the best potential sources for the story—the cops, ambulance drivers, and the relatives and friends of the victims—were all people who read the *Daily News*, where Breslin's column now appeared.

So he began to write about the case, trekking out to the neighborhoods where the killer had struck, interviewing the detectives and the cops, standing in hospital corridors as the bloody bodies were wheeled by. And then, one day, it turned out that one of the faceless Breslin fans out there was none other than Son of Sam himself.

On June 5, 1977, Son of Sam wrote Breslin a letter. "J.B.," he said, "I'm just dropping you a line to let you know that I appreciate your interest in those recent and horrendous .44 killings. I also want to tell you that I read your column daily and find it quite informative."

That did it. Son of Sam had played to Breslin's weakest suit—his need to place his own personality at the center of everything he wrote. From then on, Breslin couldn't let the story go, and that obsession brought him, for the first time, public repudiation by his colleagues.

Most telling was a piece by Richard Harris in *The New Yorker* which took Breslin—as well as his counterparts on the *New York Post*—to task for "transforming the killer into a celebrity." More specifically, it argued that Breslin had "not merely encouraged but perhaps driven [Son of Sam] to strike again," with a July 28, 1977, column which warned that the killer might seek another victim on the anniversary of his first murder.

Not surprisingly, Breslin reacted with a howl of outrage, but he answered the charge rather obliquely with

an assault on the elegant voice of midtown Manhattan. "I do not have the constitution of a *New Yorker* writer," he wrote. "In *The New Yorker's* July 25 report on the blackout, for example, the magazine devoted one page to Diana Vreeland having dinner in Greenwich Village and expounding on blackouts: 'In Paris, when I opened my desk at the Crillon, it was all candles.' *The New Yorker* did not print a line about Bushwick where so much of our city fell apart. I prefer to write about Bushwick rather than Diana Vreeland. . . .

"In the world of *The New Yorker* writer, one sits in the Algonquin lobby and sips daiquiris while discussing such as the Herb Society of America and the Third Annual Great Connecticut River Raft Race. When you go into the Algonquin these nights, here is everybody sitting around and talking about the Son of Sam

story and these grubby people on tabloids—tabloids!—who receive letters from killers. Letters they reveal to the public! God, isn't there one of us left to maintain some taste!"

Posed that way, it was an argument *The New Yorker* couldn't win: the booming voice of Queens populism versus the effete literati sipping tea with their pinkies extended. Of course, Breslin's rhetoric grossly caricatured America's best magazine, ignoring the muscular prose it regularly publishes from such writers as Jonathan Schell, John McPhee, Robert Caro, Calvin Trillin, and Richard Harris.

But what caught my eye most in Breslin's intemperate riposte, when I re-read it recently, was another sally. Bristling at *The New Yorker's* report that he and a colleague had drawn a large advance to write a book on Son of Sam, Breslin wrote, "I do wonder why *The New Yorker*, which printed *In Cold Blood*, is so interested in anybody doing a book about anything."

If Breslin was seriously suggesting some similarity between the novel he and Schaap were grinding out and Truman Capote's chilling narrative of a mass murder in Kansas, let that notion be laid to rest right here: the two works have little in common except that they both happen to be about violent crimes. *In Cold Blood* uses many of the same narrative techniques as .44—scene-by-scene construction, realistic dialogue, a third-person point of view—but it is also scrupulously accurate, based on months of hard-nosed reporting.

There is confusion among much of the reading public about this thing we call "the new journalism." A lot of people seem to believe that all "new journalists" are ego-tripping blowhards who write primarily about themselves and never bother with anything so trivial as the facts.

Some crucial distinctions need to be made. The best of

the "new journalists" rarely use the first person; they write instead from inside a third person, or as a "fly on the wall." Far from ignoring facts, they engage in saturation research, often following their subjects around for months on end. They do use fictional techniques to give their writing the texture of a novel; but they can do that precisely because they have grounded themselves so thoroughly in their subjects that they can write from inside a character's perspective as though he were their own creation. This is what Capote did so brilliantly in *In Cold Blood*, what Joe Eszterhas did in *Charlie Simpson's Apocalypse*, what Gay Talese did in his magazine profiles of Frank Sinatra and Joe DiMaggio.

But what Breslin and Schaap have done here is precisely the reverse. Instead of conducting saturation research to build a solid foundation for vivid narrative, they have used fiction to paper over the gaping holes in their hasty research and to relieve them of any responsibility for what they have crafted.

Because of the way it is written, it is difficult to know just how much research went into this book. The authors' note says .44 is "based on historical realities . . . but it is not itself historically accurate." Breslin and Schaap concede that they "invented people, places, and dates, everything except the terror." ("The terror was real," they assure us.) "It is not factual"; but then they say, "We hope it is truthful."

What does all that mean? First, that the authors don't want you to know what is real and what isn't. Second, that they have used just as much historical reality as served their purpose. Finally, that when they ran out of purpose—or time, or inclination, or integrity—they invented whatever they cared to invent.

Those who followed the Son of Sam case will recog-

nize a great deal here. David Berkowitz becomes Bernard Rosenfeld. His address becomes Apt. 9M, 743 Hudson Terrace, Yonkers, instead of Apt. 7E, 35 Pine Street, Yonkers. Sam Carr, the neighbor who was the "Sam" in the case, becomes Sam Thornton. This is fairly standard procedure for a *roman à clef*.

But then they go much further. The six persons killed and the seven wounded are scrambled almost beyond recognition. The authors use the age of one victim, the occupation of another, the appearance of a third, and mix all that with the circumstances of still a fourth killing so that, though the sequence is vaguely familiar, it is impossible to match any one incident with what actually happened.

For example, the first killing in the book is of Connie Bonventre, a Bronx teenager shot as she sat in a car with a young man she had met at the Jinni discotheque in Bayside, Queens. In reality, the first killing was of Donna Lauria, a Bronx teenager, as she sat doubleparked with a girlfriend outside her home. The portrait the authors draw of Miss Bonventre bears somewhat more resemblance to still another victim, Judy Placido, injured while sitting in a car with a boy she had met at the Elephas discotheque in Bayside.

Why do the authors scramble identities this way? Well, for one thing, the book begins with a long passage of ultra-soft porn: "Connie stood naked, fresh from a bubble bath. She had patted herself dry, oiled her legs, patted baby powder on her waist and crotch, then sprayed herself, generously, with Ciara, a cologne whose fragrance she considered sexy. . . . Her fingers brushed across her nipples and she smiled. . . . She ran her hands down over herself, first to smooth the material, then simply for pleasure, touching her breasts and her stomach and her hips,

letting her hands slide across the body suit and onto her thighs, pleased by the change in surfaces. She felt sensual. She felt free. She did not have to wear a bra, nor panties, with the one-piece Milliskin. . . . When she did want to go to the bathroom, the Milliskin was elastic enough to pull out of the way, and when she wanted to be touched, the same procedure worked. Besides, she enjoyed being touched through the material, responding to the blend of nylon and spandex and finger."

And once their readers have been aroused, Breslin and Schaap do not disappoint them. Frank Parisi plainly takes Connie out to his friend's car, not for a little adolescent necking, but for some serious feeling around that perfumed crotch and then for the big kick at the end of a disco evening—a "blow-job."

A publicity blurb for the book says it was written as a novel because "the authors feel strongly that they must protect the often highly privileged and unique sources on which they have drawn." That sounds good. It taps into the current fascination with investigative reporting and reporters' high-minded insistence that in order to get at the truth they must often offer their sources confidentiality.

But is that really what is at stake here? Did Jimmy Breslin sit down with the bereaved mother of one of those girls and say:

"Tell me, Mrs. ———, did your daughter play with herself before she went to the discotheque?"

"Well, yes, Mr. Breslin, she did. She always played with herself."

"And when she went out to sit with those boys in the cars, did she blow them?"

"Oh, yes, Mr. Breslin. She gave a real good blow-job. But you won't tell anybody I told you, will you, Mr. Breslin?"

"Of course not, dear. I'm an investigative reporter. I

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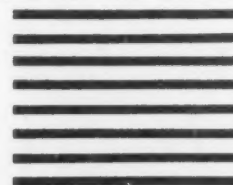
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never disclose my sources."

And even if the information came from policemen or the boys she sat with, is there any need to protect those sources? The narrative technique used by even the most scrupulous new journalists does not require any identification of sources. Sometimes a source can be readily identified from the context, but I see nothing in this book which would require the surfacing of a confidential source.

Breslin and Schaap, in their authors' note, get closer to the real motive when they talk about their wish to "avoid hurting those people further and to protect those who shared their experiences and their thoughts with us." In other words, they are protecting feelings, not sources.

But are they really? By mixing all the victims together, for example, they imply that all or most of the girls were loose sexpots who went down on any guy they danced with. That does not exactly respect the feelings of the families.

No, what is being protected here is the authors' and publisher's legal position. In my opinion, they are concerned with neither sources or feelings. They are concerned with invasion of privacy and libel. And the form they have chosen for their book is one way to protect themselves from such contingencies. Under New York State law, if you change people's names, they cannot win a suit for invasion of privacy—even if they are otherwise identifiable. And if you scramble their identities beyond recognition, they cannot sue you for libel.

There is another way to protect yourself legally, one practiced by Capote, Eszterhas, Talese, and other reputable new journalists. That is to take the time and the care to get the facts right, and to gain the trust of the people involved so they will give you releases for the material you are using. It can be done. It has been done.

But that would take far

more time and care than either authors or publisher were willing to lavish on this project. This had to be done quickly, to exploit the case while it was still fresh, and to beat potential competitors to the bookstores—and to the film or television rights. It was done very quickly indeed: from inception to completed book in barely nine months.

The other route would also require a scrupulous hewing to what actually happened—which might not always make for the most riveting reading. It would not permit the authors to invent whole scenes, write electric dialogue, or inject gratuitous sex whenever the narrative lagged.

There is still another reason for falling back on faction here. It permits Breslin to place himself at the center of the book—emerging, not surprisingly, as the most heroic figure in the whole drama. He is transmogrified here into Danny Cahill, who is Breslin as Breslin would wish to see himself: tough, brash, boasting too much to cover up his endearing insecurities, but enormously decent, humane, kind to women, children, and all "the little people," and endlessly diligent in his search for truth.

Off duty, he is an amiable, puckish Irishman. When he arrives a half hour late for a college speech, only to be greeted by enthusiastic applause from a packed house, "Cahill looked at them with a sheepish smile, ran a hand through his curly hair, and said, 'Things really gotta be dull around here you got nothing better to do than wait for me.'"

On duty, he is a vigilant sentinel of press freedom, a zealous flogger of lazy or incompetent bureaucrats, an indefatigable servant of the public weal:

"I can't let you print that," [Lt.] Carillo said. "We have to do a lot of checking."

"Hey, I work for a paper, not the Police Department," Cahill said . . .

"What are you talking about? You're telling me catching a killer and saving a life is bullshit?"

"Nobody wants it more," Cahill said. "And I think we'll do a lot better if we start putting everything out in public. Let the people get into this and save their own asses."

And, of course, faction not only permits Breslin to gild himself; it allows him to daub his enemies as well. He has plenty of enemies. Each year, he publishes a list of "people I'm no longer talking to"; and, with what he undoubtedly regards as charming hyperbole, he has been known to warn people who irritate him, "I'll break your kneecaps." But faction offers a much handier bludgeon for evening scores.

Curiously, many of the warts which his critics detected on Breslin last summer end up here firmly affixed to his rivals. For sheer egregious vulgarity, there was little to choose between the *News's* and the *Post's* Son of Sam coverage. But here the *News*, called the *Dispatch*, is a model of journalistic restraint and integrity, while the *Post*, transformed into the *Express*, frolics in the gutter. I am scarcely an admirer of Rupert Murdoch, here transformed into Malcolm Bromwich, but I can't quite picture him thundering at a subordinate: "I want results, not excuses. I'd give ten thousand pounds—I mean dollars—for one of our columnists to get a letter from the killer. A good letter. Gory, but not too gory. Menacing. And be careful about the phrasing. You better let one of our Yanks write it—at least the first draft."

When the subordinate objects, "I'm not certain we can trust them. They're always carrying on about integ—" Bromwich explodes: "If they have so damned much integrity, why do they keep accepting my paychecks? But, perhaps you're right. Give it to Henry. Henry Glenville. He's lived here so many years now

he sounds like a Yank, but, thank God, he doesn't think like one. He'd bash his grandmother for a story."

If Breslin doesn't care much for Murdoch, he is out to bust the kneecaps of Steve Dunleavy, Murdoch's man on the Son of Sam story and clearly the model for the slimy limey, Henry Glenville. He has Glenville write a passionate plea for the killer to give himself up, a screed which Breslin describes as "maudlin, self-serving, and badly written." Elsewhere, Glenville—hovering about a bereaved family "as if he were half lapdog and half watchdog"—puts on a performance that was "distasteful to observe."

Breslin does not spare the television reporters on the case. Gil Rodgers—who could stand for any of the electronic pretty boys—is pictured as "slightly effeminate, or like a more masculine version of Barbara Walters, depending on your point of view. . . . His arrogant good looks and glib manner, as is usual on television, overcame both semantic lapses and a total failure to understand what reporting is all about. His idea of digging deep into a story was to read the clips from both morning papers, and then interview one or two of the principals."

A female television reporter, before she appeals to the killer to give himself up, tells her makeup man, "If he does it, I'll be a fucking star."

Of all the reporters in the book, only Danny Cahill—read Breslin—has no such crass considerations. Indeed, on one occasion, he says to himself, "I wish they would catch this guy so I could stop writing about him. . . . I don't need this motherfucker to give me things to write about. I'd trade him in tomorrow for a good thief."

So why are you writing about him now, Jimmy? Is it really the search for "truth"? Or could it be the television rights? ■



30

## 'WE'RE SORRY'

### 62 Days Of 'The Trib': 'Good News' And Bad Morale

How not to run a newspaper.

BY APRIL KORAL

"It should have happened sooner," blared the ads announcing the birth of *The Trib* in January. The same slogan might have been used to announce the demise of the New York City daily in April, 62 issues later.

From the paper's inception in January to its death in April, *The Trib* ran short on quality and long on the hope of finding an audience that would overlook its obvious weaknesses. It might have worked, if it had used choice ingredients or there had been a master chef. But *The Trib* had neither.

The paper was the brainchild of John Denson, former editor of *The New York Herald Tribune*, *The Los Angeles Herald Examiner*, and *Newsweek*. Since 1965, he had been nursing the dream of a daily newsmagazine. It was to have been a compact tabloid, heavy on features and commentary, reporting on the story behind the story—an intelligent, dignified, conservative paper that would carve a modest niche of 200,000 readers.

After a 12-year search, Denson found backing for his idea with the help of Leonard Saffir, once an aide to former Senator James Buckley and the founder of the *New York Standard*, a paper that ap-

peared during the 1962-63 newspaper strike. Saffir, who became *The Trib*'s editor-in-chief and publisher, had unflagging trust in Denson and often referred to him as a genius. Denson, in turn, believed he had found the man who could woo investors and stave off the creditors for at least a year. It wasn't until the afternoon of *The Trib*'s death that Denson, along with the rest of the staff, was told otherwise.

Saffir had never inspired much confidence at *The Trib*. Thumbs stuck in his belt, he would walk through the newsroom, not seeing the reporters or noticing their work. The staff responded in kind. When, a week after starting up, he told his employees that rumors of insolvency were unfounded, only one person clapped.

One reporter, who had observed Saffir's bald pate redden as he fielded pointed questions during a breakfast with potential advertisers, considered him simply a bad liar. But others who knew him better began to doubt that he had the ability to comprehend what was going on around him. While a copyboy had to return unused scissors to a store to pay for more essential items, Saffir casually asked what had happened to a new couch he had ordered for his office.

*The Trib*'s offices on Third Avenue reflected the same

poor planning and overblown hopes. Only half of an entire floor that had been rented was used, and in the vast empty space where desks were to be installed, sockets protruded dangerously every few yards. The wall-to-wall carpeting was a nice touch for a newspaper office, but nobody had the foresight to realize that static electricity from the carpeting would cause the modern computer equipment to misplace stories—permanently. A black curtain had to be unceremoniously draped at the entrance to a well-equipped darkroom that had been built without a door. And the three-oven kitchen would have been ideal—had the dining room ever been completed.

From the day that he held the first edition of *The Trib* aloft for television cameras and newspaper photographers, until the moment he delivered his brief and bitter eulogy, it was always Saffir who seemed to be at the helm of *The Trib*. Nothing could have been further from the truth.

The man in charge was Denson. Nicknamed "The Autocrat of the Breakfast Table" by one senior editor, Denson spent most of his 14-hour days in an overheated corner office at a desk piled with papers and strewn with Tylenol pills. With thin, grey hair, stooped shoulders, and slightly bulging eyes, Denson, at 74, looked his age.

For the first month of publication, senior editors were summoned daily, in turn, to meet with him. They would sit patiently in his office, sometimes for up to two hours, as Denson crouched over a low table next to his desk slowly printing headlines on sheets of yellow paper, then crumpling them up and letting them drop to the floor until he wrote one that he liked. He favored the one-column cryptic headlines that he called "teasers." Thus, a story about winter garbage removal and pothole repair work carried the head, "Shivery," with the subhead

Dan Brinac



Editor John Denson: *The Trib* was his baby, but even he was not told of its death until the final day.

"Clean-Up Push-On"; an article about vocal conservatives became "The Right," bearing the subhead "Making Noises."

Managing Editor Guy Giuffre, a former news editor at the *Journal American*, eventually took over this day-long ritual of writing headlines and laying out pages. But by then the senior editors had already caught on to Denson's likes and dislikes. Most of them turned out to be obedient soldiers, careful not to submit stories that would send them scurrying back to their desks to scrounge for replacements.

The articles the staff learned to serve up were mostly upbeat. "We were spreading sunshine and sweet peace," says national desk editor Paul Dougherty. "He rarely used crime stories, and he had some crazy idea that some news was depressing. So we'd cover the miners' strike in intimate, boring detail. We knew that anything

April Korál was a features writer at *The Trib*. She is now freelancing.

that was safely boring was okay. We knew that he didn't want stories about the problems of blacks and Hispanics. After a while, you didn't even bother to present certain stories."

Looking for good news wasn't always easy. One reporter spent an hour in the rain waiting for an Easter Parade that never took place. When she returned to the office wet and freezing, the metropolitan editor was quick to remind her, "Remember, you've got to make it upbeat."

Caution was the watchword at *The Trib*, whether it meant not allowing Gladys Bourdain of the entertainment section to run a picture of a snake because "it would frighten people," or paring a two-part series on welfare to less than a column. Denson did not want to disturb his audience.

Metropolitan Editor Dick Piperno, who had been a speechwriter for former New York governor Malcolm Wilson, played it especially safe. "Dick lived and died for John Denson," says city reporter Joe Brancatelli. "Denson would say something and Dick would take it as gospel. Because Denson had once said to Dick, 'no sensationalism.' Dick didn't want redlining, the Black Panthers, cops and robbers, or minorities."

*The Trib* believed it could capture a Jewish readership with a heavy dose of pro-Israel news. There was also a zealous boosterism of New York City ("It's My Town—And a Great Town" was the headline over an interview with a city restaurateur), and a blatant preference for Republicans (a caption beneath a news photo of a Republican politician on Long Island read, "Nice guy finishes first in Nassau County").

No detail was too small for Denson's attention. He admonished other editors about missing benday rules, and double bylines in the same issue. But the quality of the product as a whole did not

seem to interest him. He appeared oblivious to the preponderance of mug shots and, against the better judgment of his photo editor, he habitually cropped off the tops of heads. Though an early survey showed that the crossword puzzle—a simplistic affair by any word-lover's standards—was unpopular, it stayed.

There was only one meeting of all the senior editors after the paper began publishing, and then only to discuss arrangements for a possible transit strike. There were apparently no efforts to plan ahead or, more important, to look back and criticize.

"Neither John nor Guy had any news judgment," says Gene Smith, former financial reporter for *The New York Times*, who was *The Trib*'s financial and sports editor. He recalls fighting to keep out two front page "exposes" based on single sources. Both stories turned out to be wrong.

One "scoop" that did make it to page one was the David Frost blunder on which Saffir and Lammy Johnstone, editor of the "Communicators" section, proudly put their bylines. The story confused the TV personality David Frost with a namesake from Brooklyn, who was working in San Clemente on Richard Nixon's memoirs. Instead of admitting their mistake, Johnstone and Saffir followed up the next day with a convoluted attempt to defend what they had written.

*Trib* standards were not hard to meet. The copy desk exercised little discipline over the staff—many of whom had little or no experience working on a daily newspaper.

"We often had to go up against senior editors saying 'the copy wasn't any good,'" says copy editor Jerry Hart. "But we couldn't send stories back. They needed them to fill a hole."

In some sections, finding enough stories to fill up the page was a daily concern. Many editors were simply too

bogged down with production responsibilities to rewrite copy. And few learned how to operate the video display terminals that sped copy in seconds to the New Jersey printing plant. Once editors discovered that they could send raw copy by facsimile transmission, many of the VDT machines' screens went dark. Though Saffir proudly showed off the VDT's to everyone who visited the newsroom, only two departments—sports and overseas—ever used the machines on a regular basis.

Morale sank disastrously in some departments. "When I first came to *The Trib*, Guy Giuffre said this was going to be different," recalls Brancatelli. "We would be writing commentary. It never occurred to me that we would be trying to cover New York City with six people."

Rumors of declining circu-

lation and imminent failure were prevalent. No one could help noticing the stacks of returned papers that were tossed every day into an empty office off the newsroom. The mounds of unwanted *Tribs*, which eventually reached the ceiling, were only removed after one pragmatic reporter warned the personnel manager that word of the room might be leaked. The next day, it was empty.

"I felt like I was writing for an invisible newspaper," Jaclyn Fierman, a reporter, says. "I lost my faith in its quality and began to think that no one would ever do anything to improve it." The very day the paper folded, she had asked Brancatelli what he would do to give *The Trib* back its credibility. "He told me, 'I'd put one big headline on the front page saying, 'We're sorry!'"

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